

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM****SUBJECT:** Lake Forrest Large Scale Land Use Amendment and Rezone**DEPARTMENT:** Planning and Development      **DIVISION:** Planning**AUTHORIZED BY:** Dori DeBord**CONTACT:** Ian Sikonia**EXT:** 7398**MOTION/RECOMMENDATION:**

1. Adopt an ordinance for a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential); and adopt an ordinance for a rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development), for 26.8 ± acres, located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street, and approve the Preliminary Master Plan and Development Order, and authorize the Chairman to execute the aforementioned documents, based on staff findings (James G. Willard, Shutts & Bowen, LLP, applicant); or
2. Deny the requested Large Scale Future Land Use Amendment for 26.8 ± acres, located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street, from MDR (Medium Density Residential) to HDR (High Density Residential); and the rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) and and authorize the chairman to execute the Denial Development Order (James G. Willard, Shutts & Bowen, LLP, applicant); or
3. Continue the item to a time and date certain.

District 5 Brenda Carey

Ian Sikonia

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**BACKGROUND:**

The applicant is requesting a Large Scale Future Land Use Amendment and rezone of 26.8 ± acres, located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street, from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development), to allow for a multi-family residential development at a maximum density of 16.5 dwelling units per net buildable acre.

This property was previously approved on May 10, 2005 as the NW 46 PUD, which consisted of a townhome and condominium project allowing a maximum of 400 units. The specific regulations for these condominium and townhomes units were based on the R-3 and R-4 zoning districts. The NW 46 PUD allowed a maximum building height of 2 stories or 35 feet. The Development Order of the NW 46 PUD specifically forbids townhome or condominium units to be used as rental units.

The proposed Lake Forrest PUD is creating a new PUD while maintaining some of the previous conditions of the NW 46 PUD. The NW 46 PUD allowed for a maximum of 400 units while the proposed PUD is allowing for a maximum of 417 units, which is an increase of 17

total units. The Lake Forrest PUD is increasing the approved maximum building height of 35 feet or two stories to 50 feet or three stories. They are maintaining the same permitted uses of condominium, townhomes, and adding multi-family rental units to the Development Order. The proposed PUD would provide a local housing option for the prospective and existing citizens of Seminole County, due to the proximity of Interstate 4 and the numerous employment centers located in nearby Heathrow, Lake Mary, and Sanford.

**PLANNING AND ZONING COMMISSION/LPA RECOMMENDATION:**

The Planning and Zoning Commission met on December 5, 2007 and voted (6-0) to make a recommendation of no recommendation to the Board of County Commissioners for transmittal of the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) 26.8 ± acres, located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street.

**Board of County Commissioners Action:**

The Board of County Commissioners met on February 12, 2008 and voted 5 - 0 to transmit the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) for 26.8 ± acres, located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street, based on staff findings.

**Florida Department of Community Affairs (DCA) Objections, Recommendations and Comments Report (ORC) dated May 5, 2008:**

On May 5, 2008, the Department issued an Objections, Recommendations and Comments (ORC) Report regarding the proposed future land use amendment. The Department raised no objections to the proposed amendment.

**STAFF RECOMMENDATION:**

Staff recommends the Board adopt an ordinance for a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential); and adopt an ordinance for a rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development), for 26.8 ± acres, located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street, and approve the Preliminary Master Plan and Development Order, and authorize the Chairman to execute the aforementioned documents, based on staff findings.

**ATTACHMENTS:**

1. Staff Report
2. Location Map
3. Future Land Use and Zoning Map
4. Aerial Map
5. Preliminary Master Plan
6. Development Order
7. DCA Objections, Recommendations and Comments Report
8. Large Scale Land Use Amendment Ordinance
9. Rezone Ordinance
10. Justification Statement Provided by Applicant
11. School Facilities Analysis
12. 12-5-07 LPA P and Z Meeting Minutes
13. 2-12-08 BCC Minutes
14. Denial Development Order
15. Letter of Opposition

**Additionally Reviewed By:**

☒ County Attorney Review ( Kathleen Furey-Tran )

Lake Forrest Large Scale Future Land Use Amendment from Medium Density Residential (MDR) to High Density Residential (HDR) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development)		
APPLICANT	James G. Willard, Shutts & Bowen, LLP	
PROPERTY OWNER	NW 46 Ltd. & Jerome Youderian	
REQUEST	LSLUA from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD to PUD	
PROPERTY SIZE	26.8 ± acres	
HEARING DATE (S)	P&Z: December 5, 2007	BCC: February 12, 2008 (Transmittal) May 27, 2008 (Adoption)
PARCEL ID	20-19-30-300-0040-0000	
LOCATION	Located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street.	
FUTURE LAND USE	MDR (Medium Density Residential)	
ZONING	PUD (Planned Unit Development)	
FILE NUMBER	Z2007-65	
COMMISSION DISTRICT	#5 – Carey	

### **Proposed Development:**

The applicant is proposing a multi-family development consisting of a maximum of 417 multi-family units with customary recreational facilities such as a clubhouse, pool, and walking trail.

### **ANALYSIS OVERVIEW:**

#### **ZONING REQUEST**

The applicant is proposing a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development). The applicant proposes to change the zoning and land use in order to develop a more intense residential development than what was previously approved on May 10, 2005 in the NW 46 PUD.

#### **COMPATIBILITY WITH SURROUNDING PROPERTIES**

The subject property is located in an area which is transitioning into a more intense mixture of commercial and higher density residential developments. Vision 2020, The Seminole County Comprehensive Plan FLU Exhibit - 2 *Appropriate Transitional Land Uses* identifies High Density Residential as a compatible transitional land use when adjacent to Low Density Residential, Medium Density Residential, and Commercial. The southern property line is adjacent to a Medium Density Residential Future Land

Use designation which has been approved for a townhouse and condominium subdivision. However, that property is also requesting a Large Scale Land Use Amendment to High Density Residential for multi-family units. To the north of the subject property is the Low Density Residential Future Land Use designation which is made up of wetland soils and is currently owned by Seminole County. To the west of the subject property across Oregon Street is the Lake Forrest PUD which is a residential subdivision approved for a maximum of 1016 units. To the East of the subject property is Interstate 4. This area is in transition from low density residential developments to higher density residential developments due to its close proximity to the employment centers located along International Parkway and accessibility to Interstate 4.

#### **CONSISTENCY WITH THE VISION 2020 COMPREHENSIVE PLAN:**

##### **FLU Element Plan Amendment Review Criteria:**

The Future Land Use Element in the Comprehensive Plan lays out certain criteria against which proposed future land use amendments must be evaluated. Because this is a Large Scale Future Land Use amendment with localized impacts, an individual site compatibility analysis is required utilizing the following criteria:

**A. Whether the character of the surrounding area has changed enough to warrant a different land use designation being assigned to the property.**

##### **Staff Evaluation**

The subject property is located in an area transitioning to developments of higher intensity because of its proximity to employment centers to the south and accessibility to Interstate 4. The area near Interstate 4 and SR 46 recently consists of multi-family subdivisions and support commercial uses to accommodate the further growth of the employment centers located in nearby Heathrow, Lake Mary, and Sanford.

Staff finds that the character of the area has changed enough to warrant a density increase from Medium Density Residential to High Density Residential.

**B. Whether public facilities and services will be available concurrent with the impacts of development at adopted levels of service.**

**C. Whether the site will be able to comply with flood prone regulations, wetland regulations and all other adopted development regulations.**

**D. Whether the proposal adheres to other special provisions of law (e.g., the Wekiva River Protection Act).**

### **Staff Evaluation**

The development will have to undergo Concurrency Review prior to Final Engineering approval and must meet all Concurrency standards in order to proceed.

The site will have to comply with all Land Development Regulations regarding development in and around wetland and floodplain areas at the time of Final Engineering.

The subject property is not located within any special or overlay district.

### **E. Whether the proposed use is compatible with surrounding development in terms of community impacts and adopted design standards of the Land Development Code.**

### **Staff Evaluation**

The subject property would be an appropriate transition between more intensive FLU designations to the south and less intensive uses to the west and north of the property. The subject property is adjacent to Medium Density Residential to the south which is also proposing a FLU change to High Density Residential allowing for apartment units. This proposed increase in apartment units would provide more local housing options for existing and prospective citizens working in the surrounding areas of Heathrow, Lake Mary, and Sanford.

### **F. Whether the proposed use furthers the public interest by providing:**

- 1. Sites for public facilities or facility improvements in excess of requirements likely to arise from development of the site**
- 2. Dedications or contributions in excess of Land Development Code requirements**
- 3. Affordable housing**
- 4. Economic development**
- 5. Reduction in transportation impacts on area-wide roads**
- 6. Mass transit**

### **Staff Evaluation**

The applicant's development plan does not consider any of the above stated elements.

**G. Whether the proposed land use designation is consistent with any other applicable Plan policies, the Strategic Regional Policy Plan and the State Comprehensive Plan.**

The following are other applicable Vision 2020 Policies and Exhibits and staff's evaluation:

**Policy FLU 2.5: Transitional Land Uses**

The County shall evaluate Plan amendments to ensure that transitional land uses are provided as a buffer between residential and nonresidential uses, between varying intensities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas. *Exhibit FLU: Appropriate Transitional Land Uses* is to be used in determining appropriate transitional uses.

**Staff Evaluation**

*Exhibit FLU: Appropriate Transitional Land Uses* in the Future Land Use Element is used as a guide in evaluating compatibility between proposed and adjacent land uses. The subject property is in an area that is transitioning from lower density development to higher density residential development. *Exhibit FLU: Appropriate Transitional Land Uses* states that High Density Residential is an appropriate transitional land use when adjacent to Medium Density Residential and Commercial. Current development trends indicate that the long-term development in the area will consist of higher density residential and commercial uses due to the proximity of employment centers in the surrounding area and accessibility of Interstate 4.

**SITE ANALYSIS:**

**ENVIRONMENTAL IMPACTS**

*Floodplain Impacts:*

Based on FIRM map panel 12117C0030E with an effective date of 1995 there appears to be 9.0 acres of floodplains on the subject property.

*Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, there appears to be wetlands on the subject property.

*Endangered and Threatened Wildlife:*

Based on a preliminary analysis, there may be endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

## **PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

The following table depicts the impacts the proposed development will have on public facilities:

<b>Public Facility</b>	<b>Existing Zoning (PUD)*</b>	<b>Proposed Development (417 Multi-Family Units)</b>	<b>Net Impact</b>
Water (GPD)	140,000	145,950	5,950
Sewer (GPD)	120,000	125,100	5,100
Traffic (ADT)	1,484	2,161	677

\* Based on the NW 46 PUD Development Order approved on 5/10/05.

### *Utilities:*

The site is located in the Northwestern Seminole County utility service area, and will be required to connect to public utilities. There is a 12-inch water main on the south side of W. SR 46, a 12-inch force main on the south side of W. SR 46, and a 20-inch reclaimed water main on the south side of W. SR 46.

### *Transportation / Traffic:*

The property is adjacent to Oregon Street which is classified as collector road. Oregon Street is not currently programmed to be improved according to the County 5-year Capital Improvement Program

### *School Impacts:*

The Seminole County Public School District has prepared an analysis which is included as an attachment to this report.

### *Public Safety:*

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station #34, which is located at 4905 Wayside Dr. Based on an average of two minutes per mile, the average response time to the subject property is less than 5 minutes.



### *Drainage:*

The proposed project is located within the Lake Monroe Drainage Basin, and does not have limited downstream capacity. The site will have to be designed to meet the pre-development rate for the 25-year, 24-hour storm event.

### *Parks, Recreation and Open Space:*

The applicant is required to provide a minimum of 25% open space for the site, per Section 30.1344 (Open Space Ratios and Design Guidelines) of the Seminole County LDC.

### *Buffers and Sidewalks:*

A 5-foot sidewalk will be constructed along the property frontage on Oregon Street. There will be a 15-foot landscape buffer along the west and a 10-foot buffer along the north and east property line.

## **APPLICABLE POLICIES:**

### **FISCAL IMPACT ANALYSIS**

This project does not warrant running the County Fiscal Impact Analysis Model.

### **SPECIAL DISTRICTS**

The subject property is not located within any Overlay District.

### **COMPREHENSIVE PLAN (VISION 2020)**

The County's Comprehensive Plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The following policies are applicable with the proposed project (there may be other provisions of the Comprehensive Plan that apply that are not included in this list):

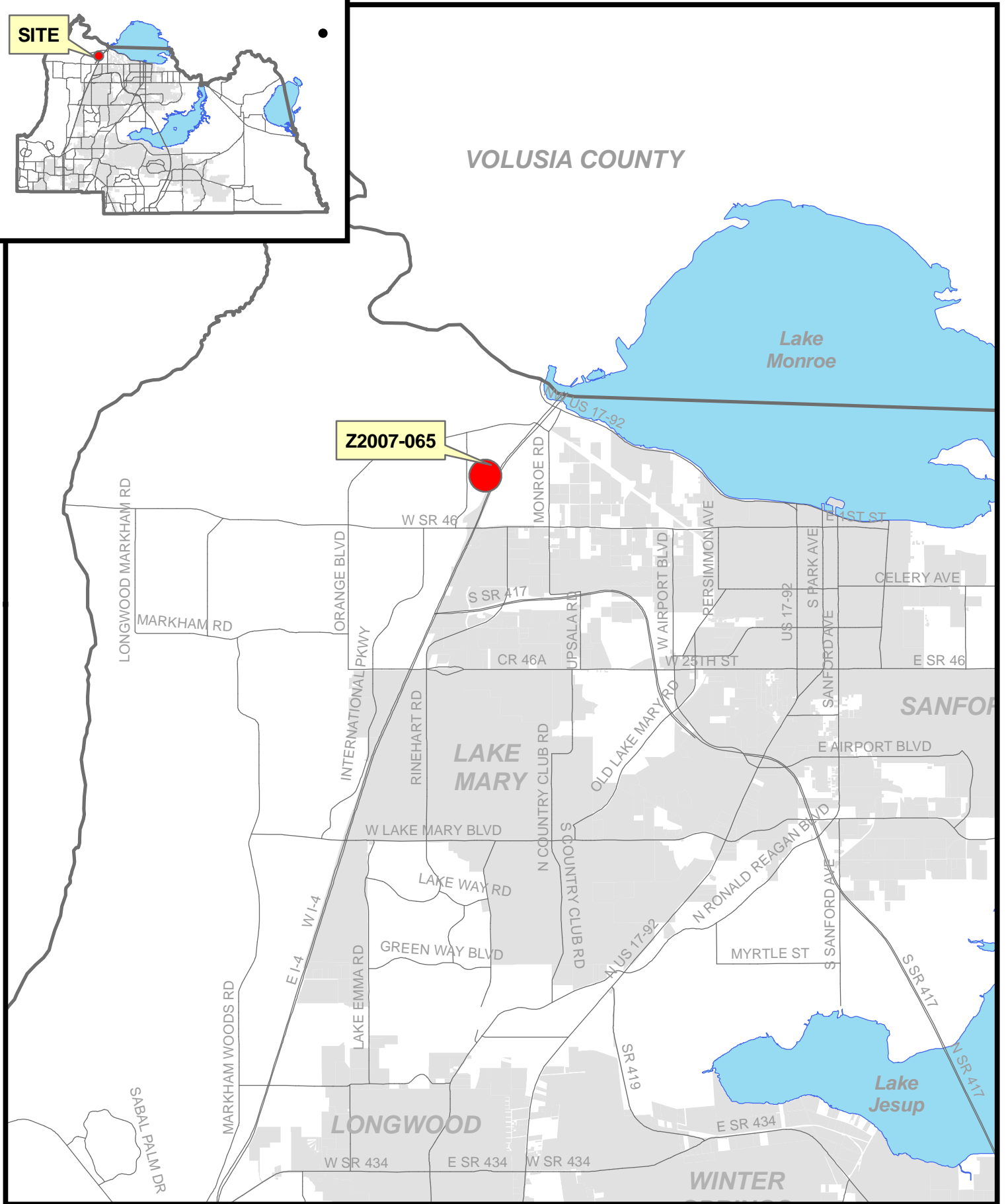
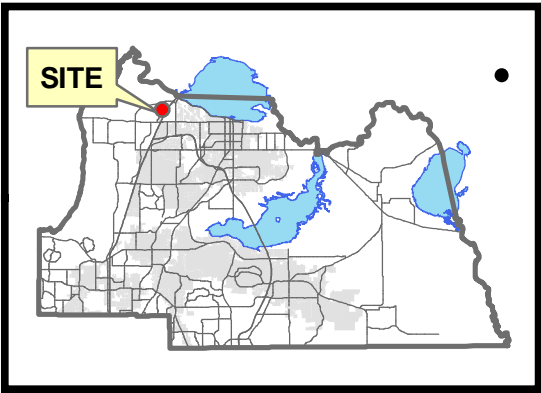
Policy FLU	2.1:	Subdivision Standards
Policy FLU	2.5:	Transitional Land Uses
Policy FLU	2.11:	Determination of Compatibility in the Planned Unit Development and Planned Commercial Development Zoning Classifications
Policy FLU	5.5:	Water and Sewer Service Expansion
Policy FLU	12.4:	Relationship of Land Use to Zoning Classifications
Policy FLU	12.5:	Evaluation Criteria of Property Rights Assertions
Policy POT	4.5:	Potable Water Connection
Policy SAN	4.4:	Sanitary Sewer Connection
Policy PUB	2.1:	Public Safety Level-of-Service

**INTERGOVERNMENTAL NOTIFICATION:**

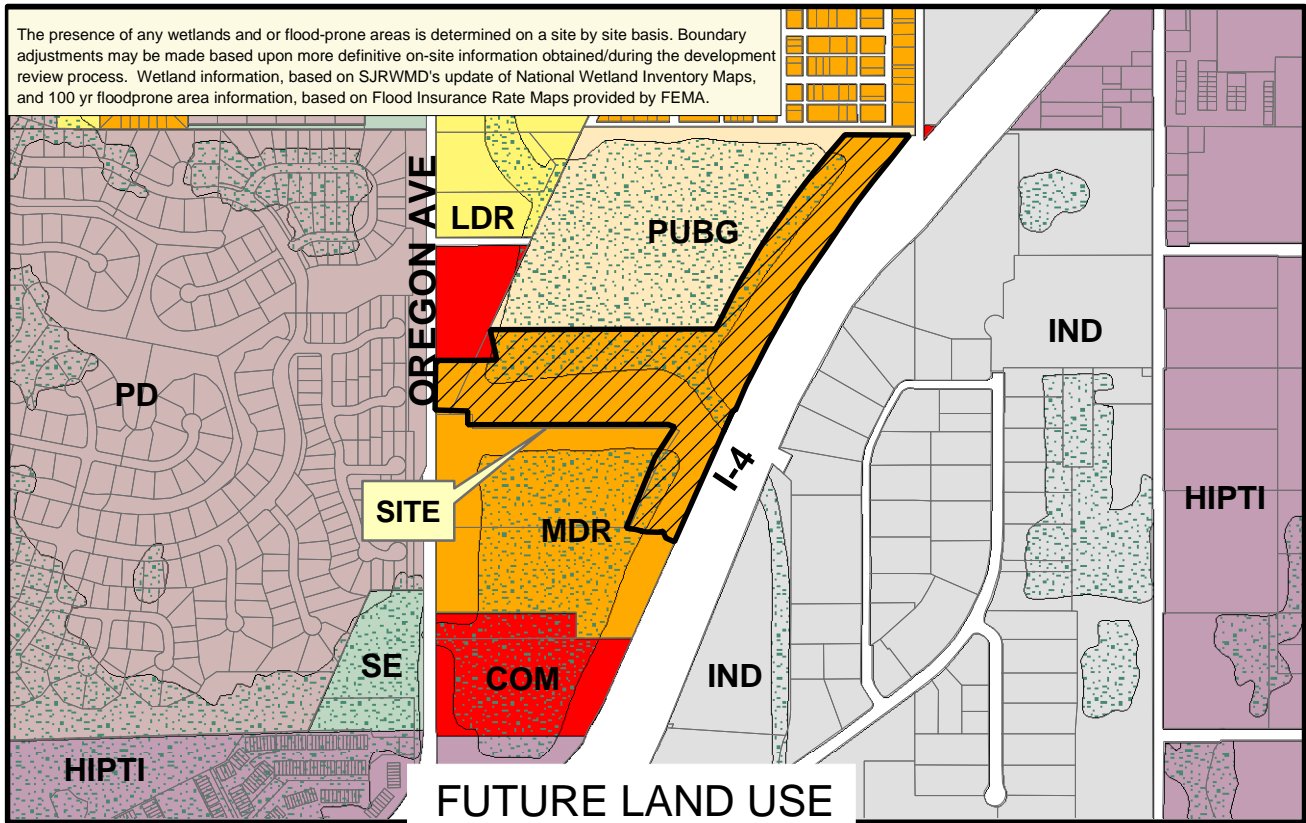
An intergovernmental notice was sent to the Seminole County School District on November 2, 2007. The School District has provided a School Capacity Report, which is attached.

**LETTERS OF SUPPORT OR OPPOSITION:**

Staff has received one letter in opposition which is attached to this agenda item.



The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.

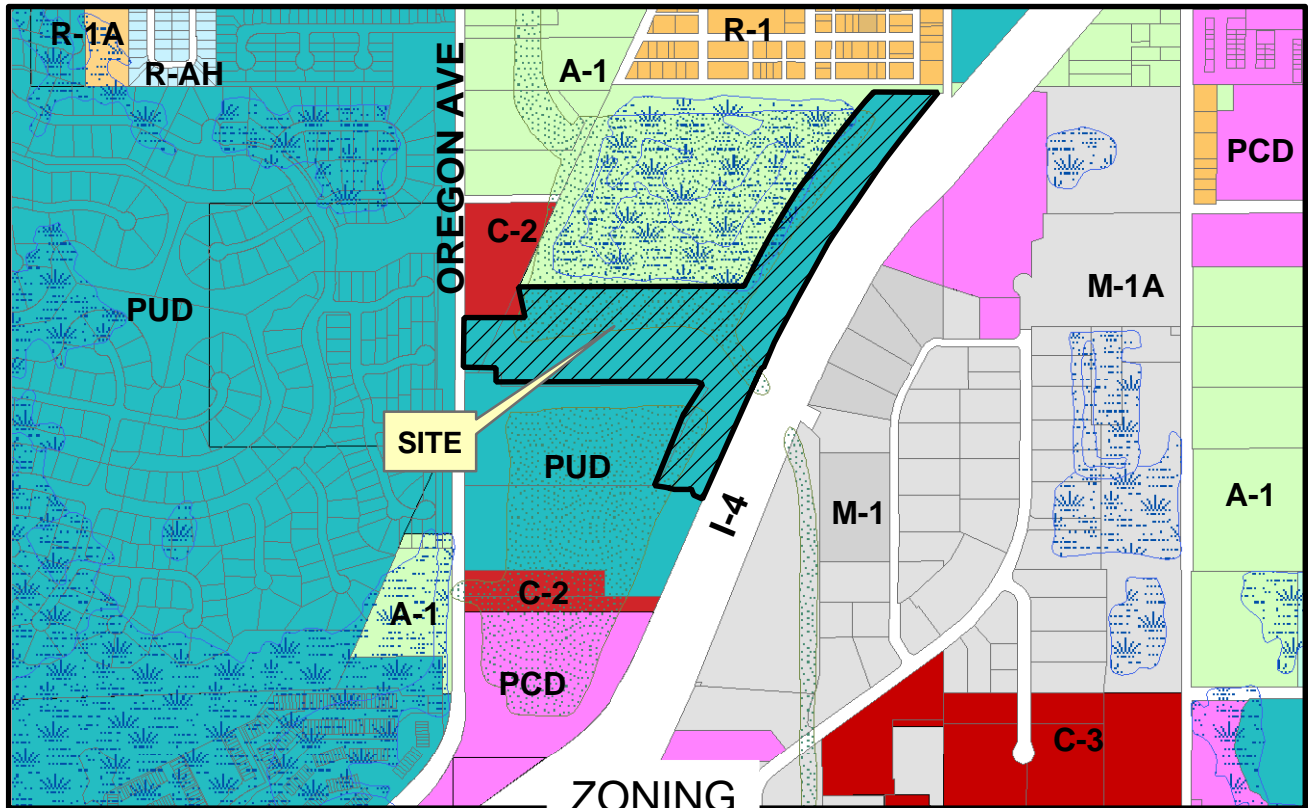


LDR 
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  SE 
  COM 
  IND 
  HIPTI 
  Site 
  CONS 
 ..... CITY

**Maximum Net Density 16.5 Du/Acre Maximum allowable number of units 417**

Applicant: James Willard  
 Physical STR: 20-19-30 & 16-19-30  
 Gross Acres: 26.80 +/- BCC District: 5  
 Existing Use: \_\_\_\_\_  
 Special Notes: \_\_\_\_\_

	Amend/ Rezone#	From	To
FLU	08S.FLU02	MDR	HDR
Zoning	Z2006-065	PUD	PUD



A-1 
  R-1A 
  R-AH 
  C-2 
  C-3 
  M-1A 
  M-1 
  PCD 
  PUD 
  FP-1 
  W-1





FLU No: 08S-FLU02  
From: MDR To: HDR

Rezone No: Z2007-065  
From: PUD To: PUD



Parcel



Subject Property



Winter 2006 Color Aerials



## DESCRIPTION

ROADWAY/PERFORMANS	9.41 AC
BUILDING FOOTPRINT	3.4 AC
OPEN SPACE	9.01 AC
REQUIRED 15' ROW	0.12 AC
EDUCATION	0.01 AC
UT STATION	0.11 AC
LANDSCAPE BUFFER	1.99 AC
TOTAL	26.8 AC

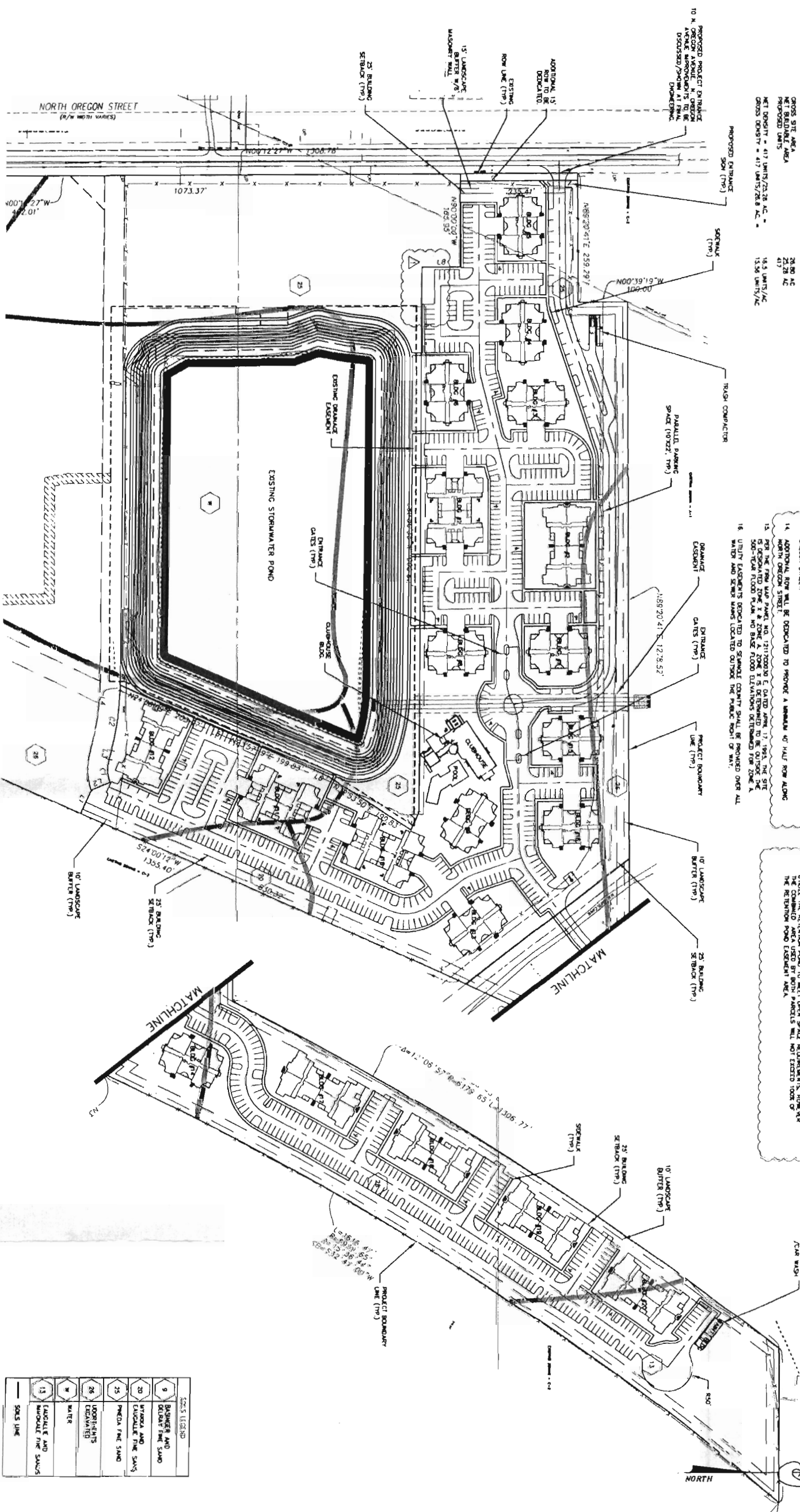
CROSS SITE AREA	0.12 AC
EXTERNAL R/W DEDICATIONS	0.28 AC
NONRESIDENTIAL OUTPARCELS	0.00 AC
FLOOD PRONE AREAS	1.40 AC
PUBLIC ROAD R/W	0.00 AC
PRIVATE ROAD R/W	0.00 AC
DRIVE ISLES (EXCL. ALLEYS)	0.00 AC
LANES	0.00 AC
TRANSMISSION LINE EASEMENTS	0.00 AC
NET BUILDABLE AREA	23.26 AC

CROSS SITE AREA	26.80 AC
NET BUILDABLE AREA	25.28 AC
PROPOSED UNITS	417
NET DENSITY = 417 UNITS/25.28 AC =	16.5 UNITS/AC
GROSS DENSITY = 417 UNITS/26.8 AC =	15.56 UNITS/AC

1. PARCEL ID # 20-19-30-300-0040-0000

1. PARCEL ID # 20-10-10-300-0040-0000
2. EXISTING ZONING: PAD
3. TOTAL NUMBER OF APARTMENT UNITS PROPOSED = 417
4. BUILDING STORIES: 20
5. DEVELOPMENT FOOTPRINT:  $N, M, \text{ and } E = 20'$
6. DEVELOPMENT FOOTPRINT:  $S = 0'$
7. BUILDING SEPARATION: 20'
8. PROPOSED USES SHALL BE THOSE APPROVED WITH HW 46 AND DEVELOPMENT: PROPOSED #4-2000000 AND MULTIFAMILY USES.
9. MAXIMUM BUILDING HEIGHT SHALL BE 30' (3-STORIES)
10. SIGNAGES SHALL BE PROVIDED ADJACENT TO ALL UNITS, VISITOR PARKING, AND ENTRANCE TO VISITOR PUBLIC SIDEWALKS ALONG NORTH OREGON STREET.
11. LANDSCAPE BUFFERS WILL BE PROVIDED AS SHOWN.
12. MAINTENANCE OF THE LANDSCAPE BUFFERS AND COMMON AREAS WILL BE THE RESPONSIBILITY OF THE PROJECT OWNER.
13. OUTSIDE LIGHTING SHALL BE LIMITED TO 16 FT. MOUNT WITH ALL ADJACENT SIDEWALKS OF THE SIGNAL COUNTY LAND DEVELOPMENT CODE.
14. THIS PROJECT WILL UTILIZE RECYCLED WATER.
15. UTT AND MOUNT BURN LAKES WILL BE PROVIDED ALONG NORTH OREGON STREET.
16. A 5' SEPARATE WALL BE PROVIDED ALONG THE PROPERTY FRONTAGE ON NORTH OREGON STREET.
17. ADDITIONAL ROW WILL BE DEDICATED TO PROVIDE A MINIMUM 40' HALF ROW ALONG NORTH OREGON STREET.
18. PER THE FINAL MAP SHEET NO. 1211700030.E DATED APRIL 17, 1993, THE SITE IS DESIGNATED ZONE X AND ZONE X IS DESIGNATED TO BE OUTSIDE THE 500-FOOT FLOOD PLAIN. NO BASE FLOOD ELEVATIONS DETERMINED FOR ZONE X.
19. VISITOR ELEMENTS DEDICATED TO SIGNAL COUNTY SHALL BE PROVIDED OVER ALL WATER AND SERVICE AREAS LOCATED OUTSIDE THE PUBLIC RIGHT OF WAY.

1. PORTABLE WATER - 417 UNITS X 300 GPD/UNIT = 145,500 GPD
2. SWALLOWER SEWER - 417 UNITS X 300 GPD/UNIT = 125,100 GPD
3. SPOON AND CHILDREN:  
 ELDERLY ADULT (417 UNITS X 0.11 GPD/ADULT) = 46 CHILDREN  
 ADULT (417 UNITS X 0.03 GPD/ADULT) = 12 CHILDREN  
 HIGH SCHOOL (417 UNITS X .03 GPD/ADULT) = 24 CHILDREN  
 TOTAL SPOON AND CHILDREN = 84
4. TRAFFIC - SEE TRAFFIC STUDY PROVIDED SEPARATELY



Spec. 16.07-02	
9	BAGGING AND DRIFT FINE SAND
20	HYDRA AND CASCADINE SAND
25	PERMA FINE SAND
26	LOOSE-TEXT CASCADINE
W	WATER
13	FLACILE AND BAGGING FINE SANDS
—	SOLS LINE

CHADWYCK H MOORHEAD, P.E. #61781  
 CERTIFICATE OF AUTHORIZATION NO. EB-0007723

**BROAD STREET PARTNERS**  
250 PARK AVENUE SOUTH  
WINTER PARK, FL 32789  
407-647-3290

# PRELIMINARY MASTER PLAN FOR LAKE FORREST

SEMINOLE COUNTY FLORIDA

**MADDEN**  
**CIVIL ENGINEERS**  
431 E. Moretlo Avenue  
Suite 260  
Maitland, Fla. 32751  
(407) 629-8330

**PMP-1**

\\Data\27110\ENG\27110 PMP.dwg Oct 30, 2007-9:54:42 am

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On June 10, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit "A".

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

### **FINDINGS OF FACT**

**Property Owner:** NW 46 LTD  
600 E. Colonial Dr.  
Orlando, FL 32803

**Project Name:** Lake Forrest Large Scale Land Use Amendment and Rezone

#### **Requested Development Approval:**

Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by:

Ian Sikonia, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. All development shall comply with the Preliminary Master Plan attached as Exhibit "B".
- b. The maximum allowable density shall not exceed 16.5 dwelling units per net buildable acre, up to a maximum of 417 dwelling units
- c. Maximum allowable building height shall be 50 feet or 3 stories.
- d. The setbacks for the main structures shall be as follows:

## Development Perimeter:

North	25'
West	25'
East	25'
South	0'

Building Separation: 20'

- e. The permitted uses shall be apartments, townhomes, condominiums, home occupations, and home offices.
- f. There shall be one access point located on Oregon Street as shown on Exhibit "B".
- g. Parking shall be pursuant to the Land Development Code requirement of two spaces per unit.
- h. A 5' sidewalk will be provided along the property frontage on Oregon Street.
- i. Sidewalks shall be provided adjacent to all units, visitor parking, and linking to future public sidewalks along Oregon Street.
- j. All landscape buffers and common areas shall be maintained by a homeowners association.
- k. The west buffer shall be 15' wide and contain a 6' masonry wall. The minimum number of allowable plantings within the buffer shall be 7 canopy



trees, 14 Understory trees, and 116 shrubs. Upon Final Master Plan approval the applicant may supply an alternative number of plantings for the west buffer if approved by the Planning Manager.

- l. There shall be a 10' buffer along the north and east property lines with the required number of plantings according to the Land Development Code.
- m. A minimum of 25% useable open space shall be provided for the entire PUD. This may be accomplished by amenitizing the existing retention pond. There is an existing reciprocal use easement between the subject property and the adjacent property to the south owned by KB Homes.
- n. Interconnectivity with the property to south shall be allowable if agreed to by the south property owner.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Brenda Carey  
Chairman, Board of County Commissioners

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, the owner, NW 46 LTD, J. Steven Shrimsher, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order

\_\_\_\_\_  
Witness

\_\_\_\_\_  
J. Steven Shrimsher, President

\_\_\_\_\_  
Witness

**STATE OF FLORIDA     )**

**COUNTY OF SEMINOLE   )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared J. Steven Shrimsher who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned  
My Commission Expires:

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, the owner, Jerome Youderian, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Jerome Youderian

\_\_\_\_\_  
Witness

**STATE OF FLORIDA     )**

**COUNTY OF SEMINOLE   )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Jerome Youderian who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned  
My Commission Expires:

EXHIBIT "A"LAKE FOREST  
TRACT A

## DESCRIPTION:

That part of Section 20, Township 19 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Southwest corner of the East 1/2 of said Section 20; thence run N89°38'35"E along the South line of said East 1/2 for a distance of 25.00 feet to the East right-of-way line of Oregon Street; thence run N00°12'27"W along said East Right-of-way line for a distance of 1764.00 feet to the POINT OF BEGINNING; thence continue N00°12'27"W along said East right-of-way line for a distance of 235.41 feet to the South line of a Florida Department of Transportation Pond, as recorded in Official Records Book 3520, Page 535, of the Public Records of Seminole County, Florida; thence run N89°20'41"E along said South line for a distance of 259.29 feet to the Easterly line of said Pond; thence run N00°39'19"W along said Easterly line for a distance of 100.00 feet to the Westerly prolongation of the South line of Borrow Pit No. 2 (retention pond); thence run N89°20'41"E along said South line for a distance of 1278.52 feet to a point on a non-tangent curve concave Southeasterly and the Easterly line of said Borrow Pit No. 2 having a radius of 6179.65 feet and a chord bearing of N32°35'43"E; thence run Northeasterly along the arc of said curve through a central angle of 12°06'57" for a distance of 1306.77 feet to a point on a line lying 50.00 feet South of and parallel with the North line of the South 5/8 of the East 1/2 of said Section 20; thence run N89°16'23"E along said Parallel line for a distance of 315.14 feet to a point on the Westerly Right-of-way line of Interstate 4 (State Road 400), as recorded in Official Records Book 3520, Page 535, of said Public Records, being a point on a non-tangent curve concave Southeasterly having a radius of 5939.65 feet and a chord bearing of S32°47'00"W; thence run Southwesterly along said Westerly right-of-way line and the arc of said curve through a central angle of 15°36'44" for a distance of 1618.47 feet to the Northeasterly line of the 90' wide County M. M. Smith Canal Easement as recorded in Official Records Book 3513, Page 1546, of said Public Records; thence run N37°21'01"W along said Northeasterly line and said Westerly right-of-way line for a distance of 22.57 feet to a point on a non-tangent curve concave Southeasterly having a radius of 5959.65 feet and a chord bearing of S24°30'21"W; thence run Southwesterly along said Westerly right-of-way line and along the arc of said curve through a central angle of 01°08'41" for a distance of 119.07 feet to the point of tangency; thence run S24°00'12"W along said Westerly right-of-way line for a distance of 830.32 feet to the North line of lands described in Official Records Book 6087, Page 553, of said Public Records; thence run Westerly along said North line the following six (6) courses: N65°59'48"W, 52.16 feet; thence N22°33'35"W, 40.00 feet to a point on a non-tangent curve concave Northerly having a radius of 75.00 feet and a chord bearing of S86°18'13"W; thence Westerly along the arc of said curve through a central angle of 37°43'35" for a distance of 49.38 feet to the point of tangency; thence N74°50'00"W, 18.48 feet to the point of curvature of a curve concave Southerly having a radius of 525.00 feet and a chord bearing of N82°05'46"W; thence Westerly along the arc of said curve through a central angle of 14°31'32" for a distance of 133.10 feet to a point on a non-tangent line and to the East line of lands described in Official Records Book 6087, Page 561, of said Public Records; thence run Northerly and Westerly along the East and North lines of said lands the following nine (9) courses: N24°00'09"E, 203.97 feet; thence N24°28'59"E, 20.06 feet; thence N23°57'19"E, 199.83 feet; thence N27°29'16"E, 31.73 feet; thence N32°53'50"E, 199.83 feet; thence N67°55'48"W, 40.26 feet; thence S89°50'35"W, 1090.62 feet; thence N00°00'00"E, 76.10 feet; thence N90°00'00"W, 185.95 feet to the POINT OF BEGINNING.

Containing 26.803 acres more or less and being subject to any rights-of-way restrictions and easements of record.

EXHIBIT "B"

Preliminary Master Plan  
(See Attached)



STATE OF FLORIDA

## DEPARTMENT OF COMMUNITY AFFAIRS

*"Dedicated to making Florida a better place to call home"*

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

### MEMORANDUM

TO: **Jim Quinn, DEP**  
**Susan Harp, DOS**  
**Susan Sadighi, FDOT 5**  
**Phil Laurien, East Central Florida RPC**  
**Jeff Cole, St Johns River WMD**  
**Wendy Evans, AG**  
**Mary Ann Poole, FWC**

Date: May 5, 2008

Subject: Proposed Comprehensive Plan Amendment Review Objections,  
Recommendations and Comments Reports

---

**Enclosed are the Departments Objection, Recommendations and Comments Reports on the proposed amendments to the comprehensive plan(s) from the following local government(s):**

Seminole Co 08-1

**These reports are provided for your information and agency files. Following the adoption of the amendments by the local governments and subsequent compliance review to be conducted by this agency, we will forward copies of the Notices of Intent published by each local government plan.**

**If you have any questions, please contact Mr. Ray Eubanks at Suncom 278-4925 or (850) 488-4925.**

**RE/lp**

**Enclosure**

**2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100**

Phone: 850-488-8466 Fax: 850-921-0781 Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

**COMMUNITY PLANNING**

Phone: 850-488-2356 Fax: 850-488-3309

**AREAS OF CRITICAL STATE CONCERN FIELD OFFICE**

Phone: 305-289-2402 Fax: 305-289-2442

**HOUSING AND COMMUNITY DEVELOPMENT**

Phone: 850-488-7956 Fax: 850-922-5623



STATE OF FLORIDA

## DEPARTMENT OF COMMUNITY AFFAIRS

*"Dedicated to making Florida a better place to call home"*

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

May 5, 2008

The Honorable Brenda Carey, Chairman  
Seminole County Board of County Commissioners  
1101 East First Street  
Sanford, Florida 32771-1468

Re: Objections, Recommendations, and Comments for Seminole County Comprehensive Plan Amendment 08-1

Dear Chairman Carey:

The Department has completed its review of the proposed Comprehensive Plan Amendment for Seminole County (DCA 08-1), which was received on March 6, 2008. Copies of the proposed amendment have been distributed to appropriate state, regional and local agencies for their review and their comments are enclosed. Within the next 60 days, the County should act by choosing to adopt, adopt with changes or not adopt the proposed amendment. For your assistance, our report outlines procedures for final adoption and transmittal.

The County has proposed two Future Land Use Map amendments to the County's Comprehensive Plan. The Department has reviewed the proposed amendment for consistency with Rule 9J-5, Florida Administrative Code (F.A.C.), Chapter 163, Part II, Florida Statutes (F.S.), and the adopted Seminole County Comprehensive Plan. The Department raises no objections to the proposed amendment and this letter serves as the Department's Objections, Recommendations, and Comments Report.

If you, or your staff, have any questions, please call Anthony Rodriguez, Planner, at (850) 922-1760.

Sincerely,

Mike McDaniel, Chief  
Office of Comprehensive Planning

MM/arr

cc: Mr. Ian Sikonia, Senior Planner, Seminole County Planning Division  
Mr. Phil Laurien, Executive Director, East Central Florida Regional Planning Council

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100

Phone: 850-488-8466 Fax: 850-921-0781 Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

COMMUNITY PLANNING

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AREAS OF CRITICAL STATE CONCERN FIELD OFFICE

Phone: 305-289-2402 Fax: 305-289-2442

HOUSING AND COMMUNITY DEVELOPMENT

Phone: 850-438-7966 Fax: 850-922-5623

## TRANSMITTAL PROCEDURES

Upon receipt of this report, the County has 60 days in which to adopt, adopt with changes, or determine that the County will not adopt the proposed amendment. The process for adoption of local comprehensive plan amendments is outlined in s. 163.3184, Florida Statutes, and Rule 9J-11.011, Florida Administrative Code.

Within ten working days of the date of adoption, the County must submit the following to the Department:

Three copies of the adopted comprehensive plan amendment;

A copy of the adoption ordinance;

A listing of additional changes not previously reviewed;

A listing of findings by the local governing body, if any, which were not included in the ordinance; and

A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to Phil Laurien, AICP, Executive Director of the East Central Florida Regional Planning Council.

Please be advised that Section 163.3184(8)(c), Florida Statutes, requires the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by law to furnish the names and addresses of the citizens requesting this information to the Department. **Please provide these required names and addresses to the Department when you transmit your adopted amendment package for compliance review. In the event no names, addresses are provided, please provide this information as well.** For efficiency, we encourage that the information sheet be provided in electronic format.





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3/26/08

FLORIDA DEPARTMENT OF STATE  
**Kurt S. Browning**  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

March 24, 2008

Mr. Ray Eubanks  
Department of Community Affairs  
Bureau of State Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Re: Historic Preservation Review of the Seminole County (08-1) Comprehensive Plan Amendment

Dear Mr. Eubanks:

According to this agency's responsibilities under Sections 163.3177 and 163.3178, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources have been given sufficient consideration in the request to amend the Seminole County Comprehensive Plan.

We reviewed two proposed amendments to the Future Land Use Map to consider the potential effects of these actions on historic resources. While our cursory review suggests that the proposed changes may have no adverse effects on historic resources, it is the county's responsibility to ensure that the proposed revisions will not have an adverse effect on significant archaeological or historic resources in Seminole County.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at (850) 245-6333.

Sincerely,

Frederick P. Gaske, Director

xc: Mr. James Stansbury

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office  
(850) 245-6300 • FAX: 245-6436

☐ Archaeological Research  
(850) 245-6444 • FAX: 245-6452

☒ Historic Preservation  
(850) 245-6333 • FAX: 245-6437

☐ Historical Museums  
(850) 245-6400 • FAX: 245-6433

☐ South Regional Office  
(904) 316-2115 • FAX: 316-2119

☐ North Regional Office  
(850) 245-6115 • FAX: 245-6135

☐ Central Regional Office  
(813) 777-3913 • FAX: 777-7310



# St. Johns River

Water Management District

10000 Highway 19 • PO Box 140 • Palmdale, CA 91354 • (818) 329-4311

On the Internet: [www.sjrwmd.com](http://www.sjrwmd.com)

6 JS  
4/14/05

10000 Highway 19 • PO Box 140 • Palmdale, CA 91354 • (818) 329-4311  
On the Internet: [www.sjrwmd.com](http://www.sjrwmd.com)

Re: Seminole County Proposed Comprehensive Plan Amendment  
DCA Amendment #08-1

Dear Mr. Tubanks:

St. Johns River Water Management District (District) planning staff have reviewed the above-referenced proposed comprehensive plan amendment. The plan amendment submittal package contains two changes to the future land use map. District staff review focuses on water supply availability and related water resource issues in an effort to link land use planning and water supply planning. In the review of water supply availability, District staff consider infrastructure, permitted allocation under consumptive use permit (CUP), and source. District staff comments are provided below.

Proposed land use change Z2007-61 (Silverleaf Park) will result in a decrease in net potable water demand based on the proposed development order that will limit the maximum development to 303 dwelling units or 20 units per net developable acre, whichever is less. The District recommends that the County adopt a comprehensive plan policy limiting development potential of the subject property to a maximum of 303 dwelling units or 20 units per net developable acre, whichever is less.

Proposed land use change Z2007-65 (Lake Forrest) will result in a minimal increase in net potable water demand based on the proposed development order that states the maximum allowable development density shall not exceed 16.5 dwelling units per net buildable acre, up to a maximum of 417 dwelling units. The District recommends that the County adopt a comprehensive plan policy limiting development potential of the subject property to a maximum of 417 dwelling units.

We appreciate the opportunity to provide comments. If you have any questions or need additional information, please contact District Policy Analyst Peter Brown at (386) 329-4311 or [pbrown@sjrwmd.com](mailto:pbrown@sjrwmd.com).

## GOVERNING BOARD

David G. Graham, Chairman Chairman	Susan N. Hughes, Vice Chairman Vice Chairman	Ann T. Moore, Secretary Secretary	W. Leonard Wood, Treasurer Treasurer
Douglas C. Bourque Member	Michael E. ... Member	Betsy Henry Huffman Member	Allen M. Jumper Member
			Harv G. Taylor, II Member



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

AR

Charles C. ...

...

April 4, 2008

1235  
4/4/08

Mr. D. Ray Eubanks  
Bureau of Local Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Re: Seminole County 08-1, Comprehensive Plan Amendment ORC Review

Dear Mr. Eubanks:

On behalf of the Department of Environmental Protection, the Office of Intergovernmental Programs has reviewed the proposed comprehensive plan amendment in accordance with the provisions of Chapter 163, *Florida Statutes*. As required by law, the scope of our comments and recommendations is limited to the environmental suitability of the proposed changes in light of the Department's regulatory and proprietary responsibilities. Based on our review of the proposed amendment, the Department has found no provision that requires comment, recommendation or objection under the laws that form the basis of the Department's jurisdiction and authority. If the amendment pertains to changes in the future land use map or supporting text, please be advised that at such time as specific lands are proposed for development, the Department will review the proposal to ensure compliance with environmental rules and regulations in effect at the time such action is proposed.

Thank you for the opportunity to comment on this proposal. If I may be of further assistance, please call me at (850)245-2172.

Sincerely,

*Suzanne E. Ray*

Suzanne E. Ray, AICP  
Office of Intergovernmental Programs

/ser



# East Central Florida Regional Planning Council

631 North Wymore Road, Suite 100 • Maitland, FL 32751  
Phone 407.623.1075 • Fax 407.623.1084 • [www.ecfrpc.org](http://www.ecfrpc.org)

Philip Laurien, AICP  
Executive Director

## MEMORANDUM

**To:** D. Ray Eubanks, FDCA Community Program Administrator  
James Stansbury, FDCA Regional Planning Administrator

**From:** Phil Laurien, AICP, Executive Director

**Date:** April 3, 2008

**Subject:** Comprehensive Plan Amendment Review

**Local Government:** Seminole County  
**Local Amendment #:** 08-1  
**DCA Amendment #:** Seminole County 08-1

655  
4/4/08

Council staff has completed a technical review of Seminole County's first proposed Large Scale Comprehensive Plan Amendment for 2008. The amendment consists of two changes to the Future Land Use Map. Staff comments are indicated below in *italics*.

The review was conducted in accordance with the provisions of the East Central Florida Regional Planning Council's current contract with the Florida Department of Community Affairs for Plan and Plan Amendment Reviews.

*We have not identified any significant or adverse effects on regional resources or facilities, nor have any extra-jurisdictional impacts been identified that would adversely affect the ability of neighboring jurisdictions to implement their comprehensive plans.*

The East Central Florida Regional Planning Council is available to assist in the resolution of any issues that may arise in the course of your review. If you should have any questions, please contact Andrew Landis at [andrew@ecfrpc.org](mailto:andrew@ecfrpc.org) or by phone at (407) 623-1075 ext. 310. Thank you.

Local Government Contact: Ian Sikonia

AML

---

### Executive Committee

<b>Chair</b> Teresa Jacobs Commissioner Orange County	<b>Vice Chair</b> Malcolm McLouth Governor's Appointee Brevard County	<b>Treasurer</b> Mary Martin Vice Mayor of Port Orange Volusia County League of Cities	<b>Secretary</b> Atlee Mercer Property Appraiser Osceola County	<b>Former Chair</b> Jon B. Rawlson Governor's Appointee Orange County
--	--	---	--	--

*Serving Brevard, Lake, Orange, Osceola, Seminole and Volusia Counties.*



## Florida Department of Transportation

CHARLIE CRIST  
GOVERNOR

Information Systems Development  
1333 South Seminole Drive, 4th  
Orlando, FL 32807-4000

STEPHEN C. KOPELSON  
SECRETARY

6 JS  
4/25/08  
AR

April 24, 2008

Mr. Ray Eubanks, Community Program Administrator  
Department of Community Affairs, State of Florida  
Plan Review & DRI Processing Section  
2555 Shumard Oaks Boulevard  
Tallahassee, FL 32399-2100

**SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENTS**  
**LOCAL GOVERNMENT: SEMINOLE**  
**DCA #: 08-1**

Dear Mr. Eubanks:

The Department of Transportation has completed its revised review of the above proposed comprehensive plan amendments as requested in correspondence from Anthony Rodriguez dated April 22, 2008, where he forwarded maps which clarified the maximum allowable densities on the proposed amendment sites. Our revised review is attached.

If you have any questions, please contact Judy Pizzo, Systems Planner, at 407-482-7880 or by e-mail at [judy.pizzo@dot.state.fl.us](mailto:judy.pizzo@dot.state.fl.us).

Sincerely,

Jon V. Weiss, P.E.  
Growth Management Supervisor

jp  
attachment

cc: Alison Stettner, Seminole County  
Jerry McCollum, Seminole County  
Phil Laurien, ECFRPC  
Rob Magee, FDOT  
James Stansbury, DCA

File: H:\000\Planning\Growth Management\CompPlanAmendments\CPA Comments\_Review\Seminole\Seminole 08-01 CvtLtr C42408.doc

## COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Seminole County

DCA Amendment #: 08-1

Date of DCA's Request Memo: N/A

Review Comments Deadline: N/A

Today's Date: 04/23/08

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### GENERAL BACKGROUND INFORMATION

Seminole County has submitted two Future Land Use Map (FLUM) amendments.

For each FLUM amendment, FDOT evaluated how the trip generation potential of the property will change if the proposed FLUM designation is adopted. (Trip generation potential reflects the maximum amount of development that could occur on the property.) The pertinent FLUM designations are as follows:

- *Medium Density Residential.* Allows a maximum of 10 du per acre.
- *High Density Residential.* Allows greater than 10 du per acre.

---

FDOT Contact:	Judy Pizzo, Systems Planner FDOT District 5 Office of Intermodal Systems Development	Reviewed by:	Cade Braud, P.E., & Kelly Blume, P.E. Kittelson & Associates, Inc.
Telephone:	407-482-7880		407-540-0555
Fax:	407-275-4188		407-540-0550
E-mail:	<a href="mailto:judy.pizzo@dot.state.fl.us">judy.pizzo@dot.state.fl.us</a>		<a href="mailto:kblume@kittelson.com">kblume@kittelson.com</a>
File:	H:\OOC\Planning\Growth Management\Comp Plan Amendments\CPA Comments_Review\Seminole\Seminole 08-01 Revised 042308.doc		

## COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

**Local Government:** Seminole County

**DCA Amendment #:** 08-1

**Date of DCA's Request Memo:** N/A

**Review Comments Deadline:** N/A

**Today's Date:** 04/23/08

### FLUM AMENDMENT 1 (SILVERLEAF PARK)

**ELEMENTS:** Future Land Use Element

**RULE REFERENCE:** Chapter 163.3177, F.S., Required and optional elements  
Chapter 163.3184, F.S., Process for adoption  
Chapter 9J-5, F.A.C., MINIMUM CRITERIA FOR REVIEW  
Chapter 9J-11, F.A.C., SUBMITTAL AND REVIEW

### BACKGROUND

This amendment affects 28.25± acres located on the east side of Oregon Street, approximately 0.5 miles north of SR 46. The property is situated between Oregon Street and I-4.

**Trip Generation Potential of Parcels Affected by FLUM Amendment**

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips	P.M. Peak Hour Trips
				Acres	Allowed Development		
Adopted	Medium Density Residential	10 du/acre	220	28.25	283 units	1,876	175
Proposed	High Density Residential	303 du*	220	28.25	303 units*	1,971	184
Change in Trips						+95	+9

\*Based on maps provided by DCA on April 22, 2008

### REVIEW COMMENTS

The amendment results in a negligible increase in trips. Therefore, FDOT has no comments on this amendment.

### RECOMMENDATIONS

FDOT has no recommendations for this amendment.

FDOT encourages the County to establish a maximum allowed intensity for High Density Residential in the Future Land Use Element per 9J-5.005(06), F.A.C.

**FDOT Contact:** Judy Pizzo, Systems Planner  
FDOT District 5  
Office of Intermodal Systems Development  
Telephone: 407-482-7880  
Fax: 407-275-4188  
E-mail: [judy.pizzo@dot.state.fl.us](mailto:judy.pizzo@dot.state.fl.us)  
File: H:\OCCP\Planning\Growth Management\CompPlanAmendments\CPA Comments\_Review\Seminole\Growth Management\08-01 Revised 042308.doc

**Reviewed by:** Cade Braud, P.E., & Kelly Blume, P.E.  
Kittelson & Associates, Inc.  
407-540-0555  
407-540-0550  
[kblume@kittelson.com](mailto:kblume@kittelson.com)

## COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Seminole County

DCA Amendment #: 08-1

Date of DCA's Request Memo: N/A

Review Comments Deadline: N/A

Today's Date: 04/23/08

### FLUM AMENDMENT 2 (LAKE FORREST)

ELEMENTS: Future Land Use Element

RULE REFERENCE: Chapter 163.3177, F.S., Required and optional elements  
Chapter 163.3184, F.S., Process for adoption  
Chapter 9J-5, F.A.C., MINIMUM CRITERIA FOR REVIEW  
Chapter 9J-11, F.A.C., SUBMITTAL AND REVIEW

### BACKGROUND

This amendment affects 26.8± acres located on the east side of Oregon Street, approximately 0.5 miles north of SR 46. The property is situated between Oregon Street and I-4.

**Trip Generation Potential of Parcels Affected by FLUM Amendment**

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips	P.M. Peak Hour Trips
				Acres	Allowed Development		
Adopted	Medium Density Residential	10 du/acre	220	26.8	268 units	1,777	166
Proposed	High Density Residential	417 du*	220	26.8	417 units*	2,657	247
Change in Trips						+880	+81

\*Based on maps provided by DCA on April 22, 2008

The State roadway segments located within two miles of the parcel are shown in the table below.

### REVIEW COMMENTS

Based on FDOT data, segments of State roadways within the vicinity of the site currently operate unacceptably and/or are projected to operate unacceptably under background conditions. However, the amendment does not appear to significantly impact these State roadways, so FDOT has no comments on the amendment.

FDOT Contact: Judy Pizzo, Systems Planner  
FDOT District 5  
Office of Intermodal Systems Development  
Telephone: 407-482-7880  
Fax: 407-275-4188  
E-mail: [judy.pizzo@dot.state.fl.us](mailto:judy.pizzo@dot.state.fl.us)  
File: H:\OOC\Fanning\Growth Management\CompPlanAmendments\CPA Comments\_Review\Seminole\Seminole 08-01 Revised 042308.doc

Reviewed by: Cade Braud, P.E., & Kelly Blume, P.E.  
Kittelson & Associates, Inc.  
407-540-0555  
407-540-0550  
[kblume@kittelson.com](mailto:kblume@kittelson.com)



## COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Seminole County

DCA Amendment #: 03-1

Date of DCA's Request Memo: N/A

Review Comments Deadline: N/A

Today's Date: 04/23/08

### State Roadway Segments Affected by FLUM Amendment

Roadway	Segment	FIHS or SIS?	2008				2013				2016			
			LOS Standard	Service Volume at LOS Standard	AADT	Acceptable?	LOS Standard	Service Volume at LOS Standard	AADT	Acceptable?	LOS Standard	Service Volume at LOS Standard	AADT	Acceptable?
SR 46	Lake Co to Orange Blvd	N	D	16,400	23,800	N	D	16,400	28,100	N	D	16,400	30,800	N
	Orange Blvd to Int'l Pkwy	N	D	32,700	30,000	Y	D	32,700	39,900	N	D	32,700	45,900	N
	Int'l Pkwy to I-4	N	D	32,700	31,700	Y	D	32,700	41,000	N	D	32,700	48,600	N
	I-4 to Rinehart Rd	Y	D	49,200	39,700	Y	D	49,200	47,700	Y	D	49,200	52,500	N
	Rinehart Rd to Upsala Rd	Y	D	49,200	33,900	Y	D	49,200	41,000	Y	D	49,200	45,300	Y
	Upsala Rd to Airport Blvd	Y	D	35,700	33,300	Y	D	35,700	39,100	N	D	35,700	42,500	N
	Airport Blvd to Pesimmon Ave	Y	D	35,700	23,000	Y	D	35,700	25,400	Y	D	35,700	26,800	Y
	Pesimmon Ave to US 17-92	N	D	35,700	20,900	Y	D	35,700	24,000	Y	D	35,700	25,800	Y
US 17-92	0.051 mi E of Seminole Blvd to Realignment	N	D	17,220	12,500	Y	D	17,220	13,200	Y	D	17,220	13,500	Y
	I-4 to Volusia Co	Y	D	35,700	24,600	Y	D	35,700	28,600	Y	D	35,700	30,900	Y
I-4	SR 46 to Volusia Co	Y	D	140,200	118,100	Y	D	140,200	133,400	Y	D	140,200	142,600	N

NOTE: The information in this table is from FDOT's LOS\_ALL spreadsheet, which is a planning-level analysis tool.

### RECOMMENDATIONS

FDOT has no recommendations for this amendment.

FDOT encourages the County to establish a maximum allowed intensity for High Density Residential in the Future Land Use Element per 9J-5.005(06), F.A.C.

FDOT Contact: Judy Pizzo, Systems Planner  
FDOT District 5  
Office of Intermodal Systems Development  
Telephone: 407-482-7880  
Fax: 407-275-4188  
E-mail: [judy.pizzo@dot.state.fl.us](mailto:judy.pizzo@dot.state.fl.us)  
File: H:\OOC\Planning\Growth Management\CompPlanAmendments\CPA Comments\_Review\Seminole\Seminole 08-01 Revised 042308 doc

Reviewed by: Cade Braud, P.E., & Kelly Blume, P.E.  
Kittelson & Associates, Inc.  
407-540-0555  
407-540-0550  
[kblume@kittelson.com](mailto:kblume@kittelson.com)

ORDINANCE NO.

SEMINOLE COUNTY, FLORIDA

AN ORDINANCE AMENDING THE VISION 2020  
SEMINOLE COUNTY COMPREHENSIVE PLAN;  
AMENDING THE FUTURE LAND USE MAP  
DESIGNATION OF CERTAIN PROPERTIES BY  
VIRTUE OF LARGE SCALE DEVELOPMENT  
AMENDMENTS; PROVIDING FOR LEGISLATIVE  
FINDINGS; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR CODIFICATION; AND  
PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the Board of County Commissioners of Seminole County (hereinafter referred to as the "Board") enacted Ordinance Number 91-13, adopting the 1991 Seminole County Comprehensive Plan, which was subsequently amended in accordance with State law; and

**WHEREAS,** the Board enacted Ordinance Number 2001-21, which renamed the 1991 Seminole County Comprehensive Plan to the "Vision 2020 Seminole County Comprehensive Plan" (hereinafter referred to as the "Plan"); and

**WHEREAS,** the Board has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to Large Scale Plan Amendments; and

**WHEREAS,** the Board has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

**WHEREAS,** the Seminole County Land Planning Agency held a public hearing with all required public notice for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendments set forth herein; and

**WHEREAS,** the Board held public hearings with all required public notice for the purposes of hearing and considering the recommendations and comments of the general public, the Land Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendments set forth herein; and

**WHEREAS,** the Board hereby finds that the Plan, as amended by this ordinance, is internally consistent with and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, and the State Comprehensive Plan, and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council; and

**WHEREAS,** the Plan amendments set forth herein has been reviewed by all required State agencies and the Objectives, Recommendations and Comments Report prepared by the Department of Community Affairs has been considered by the Board; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

**Section 1. Legislative Findings.** The above recitals are true and correct in form and include legislative findings which are a material part of this Ordinance.

**Section 2. Amendment To Future Land Use Map Designation.** The Future Land Use Map of the Future Land Use Element of the Plan is hereby amended by changing the future land use designation assigned to the properties depicted therein and legally described in Exhibits A and B (attached hereto and incorporated herein by this reference) as noted in the following table:

<b>Ord. Exh.</b>	<b>Name</b>	<b>Amendment Number</b>	<b>Land Use Change From - To</b>	<b>LPA Hearing Date</b>	<b>BCC Hearing Dates</b>
A	Lake Forrest Large Scale Land Use Amendment and Rezone	08S-FLU02	Medium Density Residential (MDR) to High Density Residential (HDR) with a maximum of 417 dwelling units containing a maximum density of 16.5 dwelling units per net buildable acre	12/05/07	02/12/08 6/10/08
B	Silverleaf Park Large Scale Land Use Amendment and Rezone	08S-FLU01	Medium Density Residential (MDR) to High Density Residential (HDR) with a maximum of 303 dwelling units containing a maximum density of 16.5 dwelling units per net buildable acre	12/05/07	02/12/08 6/10/08

### **Section 3. Severability.**

(a) The enactment of this Ordinance includes two (2) amendments to the Future Land Use Map.

(b) If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

### **Section 4. Exclusion From County Code/Codification.**

(a) It is the intent of this Board that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of or as a volume of the Land Development Code of Seminole County in accordance with prior directions given to the said Code codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

### **Section 5. Effective Date.**

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with State law.

(b) This Ordinance shall take effect upon filing a copy of this Ordinance with the Florida Department of State by the Clerk of the

Board of County Commissioners; provided, however, that the effective date of the Plan amendments set forth herein shall be twenty-two (22) days after the Florida Department of Community Affairs' publication of a notice of intent to find the Plan amendments in compliance, if no affected party challenges the Plan amendments, or, if an affected party challenges the Plan amendments, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendments is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders or development permits, if dependent upon an amendment, may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission adopting a resolution affirming its effective status, a copy of said resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.

**ENACTED** this 10th day of June 2008.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Brenda Carey, Chairman

## Exhibit A

### LAKE FOREST TRACT A

#### DESCRIPTION:

That part of Section 20, Township 19 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Southwest corner of the East 1/2 of said Section 20; thence run N89°38'35"E along the South line of said East 1/2 for a distance of 25.00 feet to the East right-of-way line of Oregon Street; thence run N00°12'27"W along said East Right-of-way line for a distance of 1764.00 feet to the POINT OF BEGINNING; thence continue N00°12'27"W along said East right-of-way line for a distance of 235.41 feet to the South line of a Florida Department of Transportation Pond, as recorded in Official Records Book 3520, Page 535, of the Public Records of Seminole County, Florida; thence run N89°20'41"E along said South line for a distance of 259.29 feet to the Easterly line of said Pond; thence run N00°39'19"W along said Easterly line for a distance of 100.00 feet to the Westerly prolongation of the South line of Borrow Pit No. 2 (retention pond); thence run N89°20'41"E along said South line for a distance of 1278.52 feet to a point on a non-tangent curve concave Southeasterly and the Easterly line of said Borrow Pit No. 2 having a radius of 6179.65 feet and a chord bearing of N32°35'43"E; thence run Northeasterly along the arc of said curve through a central angle of 12°06'57" for a distance of 1306.77 feet to a point on a line lying 50.00 feet South of and parallel with the North line of the South 5/8 of the East 1/2 of said Section 20; thence run N89°16'23"E along said Parallel line for a distance of 315.14 feet to a point on the Westerly Right-of-way line of Interstate 4 (State Road 400), as recorded in Official Records Book 3520, Page 535, of said Public Records, being a point on a non-tangent curve concave Southeasterly having a radius of 5939.65 feet and a chord bearing of S32°47'00"W; thence run Southwesterly along said Westerly right-of-way line and the arc of said curve through a central angle of 15°36'44" for a distance of 1618.47 feet to the Northeasterly line of the 90' wide County M. M. Smith Canal Easement as recorded in Official Records Book 3513, Page 1546, of said Public Records; thence run N37°21'01"W along said Northeasterly line and said Westerly right-of-way line for a distance of 22.57 feet to a point on a non-tangent curve concave Southeasterly having a radius of 5959.65 feet and a chord bearing of S24°30'21"W; thence run Southwesterly along said Westerly right-of-way line and along the arc of said curve through a central angle of 01°08'41" for a distance of 119.07 feet to the point of tangency; thence run S24°00'12"W along said Westerly right-of-way line for a distance of 830.32 feet to the North line of lands described in Official Records Book 6087, Page 553, of said Public Records; thence run Westerly along said North line the following six (6) courses: N65°59'48"W, 52.16 feet; thence N22°33'35"W, 40.00 feet to a point on a non-tangent curve concave Northerly having a radius of 75.00 feet and a chord bearing of S86°18'13"W; thence Westerly along the arc of said curve through a central angle of 37°43'35" for a distance of 49.38 feet to the point of tangency; thence N74°50'00"W, 18.48 feet to the point of curvature of a curve concave Southerly having a radius of 525.00 feet and a chord bearing of N82°05'46"W; thence Westerly along the arc of said curve through a central angle of 14°31'32" for a distance of 133.10 feet to a point on a non-tangent line and to the East line of lands described in Official Records Book 6087, Page 561, of said Public Records; thence run Northerly and Westerly along the East and North lines of said lands the following nine (9) courses: N24°00'09"E, 203.97 feet; thence N24°28'59"E, 20.06 feet; thence N23°57'19"E, 199.83 feet; thence N27°29'16"E, 31.73 feet; thence N32°53'50"E, 199.83 feet; thence N67°55'48"W, 40.26 feet; thence S89°50'35"W, 1090.62 feet; thence N00°00'00"E, 76.10 feet; thence N90°00'00"W, 185.95 feet to the POINT OF BEGINNING.

Containing 26.803 acres more or less and being subject to any rights-of-way restrictions and easements of record.

## **Exhibit B**

### **Silverleaf Park**

### **Legal Description**

THAT PART OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE EAST ½ OF SAID SECTION 20; THENCE RUN N89°38'35"E ALONG THE SOUTH LINE OF SAID EAST ½ FOR A DISTANCE OF 25.00 FEET TO THE EAST RIGHT OF WAY LINE OF NORTH OREGON STREET; THENCE RUN N00°12'27"W ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 690.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°12'27"W ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 402.01 FEET; THENCE RUN N90°00'00"E FOR A DISTANCE OF 1009.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 525.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°10'00" FOR A DISTANCE OF 138.97 FEET TO THE POINT OF TANGENCY; THENCE RUN S74°50'00"E FOR A DISTANCE OF 18.48 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 75.00 FEET AND A CHORD BEARING OF N86°18'13"E; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°43'35" FOR A DISTANCE OF 49.38 FEET TO A RADIAL LINE; THENCE RUN S22°33'35"E ALONG SAID RADIAL LINE FOR A DISTANCE OF 40.00 FEET; THENCE RUN S65°59'48"E FOR A DISTANCE OF 52.16 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 4 AS DESCRIBED IN OFFICIAL RECORDS BOOK 3520, PAGE 535 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN S24°00'12"W ALONG SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 525.08 FEET; THENCE RUN S89°38'22"W FOR A DISTANCE OF 243.58 FEET; THENCE RUN N00°21'38"W FOR A DISTANCE OF 157.35 FEET; THENCE RUN N90°00'00"W FOR A DISTANCE OF 816.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.098 ACRES MORE OR LESS AND BEING SUBJECT TO ANY RESTRICTIONS, RIGHTS OF WAY AND EASEMENTS OF RECORDS.

TOGETHER WITH THOSE CERTAIN STORMWATER DRAINAGE EASEMENT RIGHTS INURING TO THE BENEFIT OF THE AFOREDESCRIBED PARCEL PURSUANT TO THAT CERTAIN NW 46 DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS RECORDED OCTOBER 22, 1998 AT OFFICIAL RECORDS BOOK 3520, PAGE 588, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AS THEREAFTER AMENDED.

AND

THAT PART OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE EAST ½ OF SAID SECTION 20; THENCE RUN N00°12'27"W ALONG SAID WEST LINE OF THE EAST ½ OF SECTION 20 FOR A DISTANCE OF 1092.71 FEET; THENCE N89°47'33"E FOR A DISTANCE OF 25.00 FEET TO THE EAST RIGHT OF WAY LINE OF NORTH OREGON STREET, THE POINT OF BEGINNING; THENCE RUN N00°12'27"W ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 671.36 FEET; THENCE RUN N90°00'00"E FOR A DISTANCE OF 185.95 FEET; THENCE RUN S00°00'00"E FOR A DISTANCE OF 76.10 FEET; THENCE RUN N89°50'35"E FOR A DISTANCE OF 1090.62 FEET; THENCE RUN S67°55'48"E FOR A DISTANCE OF 40.26 FEET; THENCE RUN S32°53'50"W FOR A DISTANCE OF 199.83 FEET; THENCE RUN S27°29'16"W FOR A DISTANCE OF 31.73 FEET; THENCE RUN S23°57'19"W FOR A DISTANCE OF 199.83 FEET; THENCE RUN S24°28'59"W FOR A DISTANCE OF 20.06 FEET; THENCE RUN S24°00'09"W FOR A DISTANCE OF 204.23 FEET; THENCE N89°59'06"W FOR A DISTANCE OF 1015.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.15 ACRES, MORE OR LESS



AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Lake Forrest Large Scale Land Use Amendment and Rezone."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONINGS.** The zoning classification assigned to the following described property is changed from PUD (Planned Unit Development) to PUD (Planned Unit Development):

**SEE ATTACHED EXHIBIT A**

**Section 3. EXCLUSION FROM CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

**ORDINANCE NO.**

**SEMINOLE COUNTY, FLORIDA**

**Section 4. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 5. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon the date of filing with the Department.

ENACTED this 10th day of June 2008.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Brenda Carey  
Chairman

**EXHIBIT "A"**  
**LEGAL DESCRIPTION:**

LAKE FOREST  
TRACT A

DESCRIPTION:

That part of Section 20, Township 19 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Southwest corner of the East 1/2 of said Section 20; thence run N89°38'35"E along the South line of said East 1/2 for a distance of 25.00 feet to the East right-of-way line of Oregon Street; thence run N00°12'27"W along said East Right-of-way line for a distance of 1764.00 feet to the POINT OF BEGINNING; thence continue N00°12'27"W along said East right-of-way line for a distance of 235.41 feet to the South line of a Florida Department of Transportation Pond, as recorded in Official Records Book 3520, Page 535, of the Public Records of Seminole County, Florida; thence run N89°20'41"E along said South line for a distance of 259.29 feet to the Easterly line of said Pond; thence run N00°39'19"W along said Easterly line for a distance of 100.00 feet to the Westerly prolongation of the South line of Borrow Pit No. 2 (retention pond); thence run N89°20'41"E along said South line for a distance of 1278.52 feet to a point on a non-tangent curve concave Southeasterly and the Easterly line of said Borrow Pit No. 2 having a radius of 6179.65 feet and a chord bearing of N32°35'43"E; thence run Northeasterly along the arc of said curve through a central angle of 12°06'57" for a distance of 1306.77 feet to a point on a line lying 50.00 feet South of and parallel with the North line of the South 5/8 of the East 1/2 of said Section 20; thence run N89°16'23"E along said Parallel line for a distance of 315.14 feet to a point on the Westerly Right-of-way line of Interstate 4 (State Road 400), as recorded in Official Records Book 3520, Page 535, of said Public Records, being a point on a non-tangent curve concave Southeasterly having a radius of 5939.65 feet and a chord bearing of S32°47'00"W; thence run Southwesterly along said Westerly right-of-way line and the arc of said curve through a central angle of 15°36'44" for a distance of 1618.47 feet to the Northeasterly line of the 90' wide County M. M. Smith Canal Easement as recorded in Official Records Book 3513, Page 1546, of said Public Records; thence run N37°21'01"W along said Northeasterly line and said Westerly right-of-way line for a distance of 22.57 feet to a point on a non-tangent curve concave Southeasterly having a radius of 5959.65 feet and a chord bearing of S24°30'21"W; thence run Southwesterly along said Westerly right-of-way line and along the arc of said curve through a central angle of 01°08'41" for a distance of 119.07 feet to the point of tangency; thence run S24°00'12"W along said Westerly right-of-way line for a distance of 830.32 feet to the North line of lands described in Official Records Book 6087, Page 553, of said Public Records; thence run Westerly along said North line the following six (6) courses: N65°59'48"W, 52.16 feet; thence N22°33'35"W, 40.00 feet to a point on a non-tangent curve concave Northerly having a radius of 75.00 feet and a chord bearing of S86°18'13"W; thence Westerly along the arc of said curve through a central angle of 37°43'35" for a distance of 49.38 feet to the point of tangency; thence N74°50'00"W, 18.48 feet to the point of curvature of a curve concave Southerly having a radius of 525.00 feet and a chord bearing of N82°05'46"W; thence Westerly along the arc of said curve through a central angle of 14°31'32" for a distance of 133.10 feet to a point on a non-tangent line and to the East line of lands described in Official Records Book 6087, Page 561, of said Public Records; thence run Northerly and Westerly along the East and North lines of said lands the following nine (9) courses: N24°00'09"E, 203.97 feet; thence N24°28'59"E, 20.06 feet; thence N23°57'19"E, 199.83 feet; thence N27°29'16"E, 31.73 feet; thence N32°53'50"E, 199.83 feet; thence N67°55'48"W, 40.26 feet; thence S89°50'35"W, 1090.62 feet; thence N00°00'00"E, 76.10 feet; thence N90°00'00"W, 185.95 feet to the POINT OF BEGINNING.

Containing 26.803 acres more or less and being subject to any rights-of-way restrictions and easements of record.

**LARGE-SCALE FUTURE LAND USE AMENDMENT &  
REZONING AMENDMENT JUSTIFICATION STATEMENT**

**SEMINOLE COUNTY APPLICATION**

**Lake Forrest**

Parcel ID Number: 20-19-30-300-0040-0000

This application is for a large-scale future land use map amendment (LSFLUA) and associated rezoning amendments to respectively change the future land use (FLU) designation of the 26.8-acre subject property from Medium Density Residential (MDR) to High Density Residential (HDR), to remove the property from the Silver Leaf Planned Urban Development (PUD) and to form a new PUD. With the following Project Justification Narrative, we submit the request is consistent with the Seminole County Vision 2020 Comprehensive Plan and compatible with the surrounding development patterns.

**RELATIONSHIP TO THE GOALS, OBJECTIVES AND POLICIES OF THE  
SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN**

**High Density Residential Intent & Purpose**

This land use provides for a range of residential development at intensities greater than 10 dwelling units per net buildable acre. High density residential development should be located adjacent to major collectors and arterial roadways to minimize traffic on local and minor collector roadways and to provide convenient access to transit facilities. This land use can act as an effective transitional use between nonresidential and Medium Density Residential uses.

Uses:

- A. Condominiums, townhouses, apartment hotels, boarding and lodging houses and motels;
- B. Public elementary schools, public middle schools and public high schools; and
- C. Special exception uses such as churches, utilities, group homes, hospitals, convalescent and nursing homes, and accessory office uses.

Services and Facilities:

This land use requires a full range of urban services and facilities.

Special Provisions:

- A. High density developments require maximum lot coverage, minimum open space, recreation, pedestrian walkways and transit facility requirements to enhance the living environment of residents and to provide convenient access to area schools, shopping and recreational facilities. On-site transit facilities (e.g. bus shelters and bays) may be required on a site specific basis.

B. Clustering of residential units to preserve conservation areas above and beyond current Land Development Code requirements and/or to provide sites for schools, recreation and other public facilities is permitted under the PUD zoning classification.

C. Increased building heights up to 60 feet may be allowed where compatible with adjacent uses to minimize urban sprawl.

#### Special Services;

Higher intensity development may require special services such as aerial fire equipment, transit facilities and effluent re-use to meet public safety needs and offset facility capacity impacts.

#### Zoning

Zoning classifications allowed in this land use designation are presented in Exhibit FLU: Future Land Use Designations and Allowable Zoning Classifications. PUD is an allowable zoning category in HDR FLU.

#### Services and Facilities

Services and facilities are to be at a minimum, consistent with the requirements of the land use designation for use of the development site.

*A PUD rezoning application and a Master Plan application are being submitted concurrent with this LSFLUA application. The Master Plan addresses the aforementioned concerns and, therefore, complies with the Seminole County Land Use Code.*

#### **Applicable Comprehensive Plan FLU Policies**

##### Vision 20/20—Future Land Use Element- Issue FLU 3 (page FLU-3)

Future Land Use Map Based On Growth Needs/Build-out. The Exhibit FLU: Future Land Use Map is based on the amount of land use by type needed to accommodate the County's projected growth over the planning period.

In Seminole County, both private and publicly owned properties are designated as one of the several future land use designations on the adopted Exhibit FLU: Future Land Use Map. The Exhibit FLU: Future Land Use Map is based on the amount of land use by type needed to accommodate the County's projected growth over the planning period.

Based on the currently adopted Exhibit FLU: Future Land Use Map, it is projected that between 2015 and 2020 the County will experience a shortage of vacant developable land for single family and multi-family development. Among the options available to address this shortage includes amending the Plan to allow increased densities within existing residential designation and creating infill parcels where a mix of residential and nonresidential uses would be allowed. Subsequent to adoption of the 2001 Plan Update, this issue should be fully assessed and recommended options prepared as part of the next Evaluation and Appraisal Report (EAR) of the Plan scheduled for 2005.

*The proposed development program is for apartments at an overall net density of 16.5 net dwelling units per acre, which is consistent with the stated objective and will assist Seminole County in dealing with the "shortage of vacant developable land for single-family development," including a source of housing for the aging population segment. The property is an infill tract surrounded by high-density residential, low-density residential and neighborhood-scale commercial developments. The creation of a planned community that adheres to sensitive site design, transitional buffers and green space will ensure neighborhood compatibility.*

Vision 20/20—Future Land Use Element- Issue FLU 4-Urban Sprawl (page FLU-4)

Rule 9J-5.006, FAC, requires that plans of local governments contain specific provisions to discourage urban sprawl. Urban sprawl can be defined as scattered, poorly planned development occurring at the urban fringe and rural areas, which frequently invades land important for natural resource protection. Types of urban sprawl land uses include leapfrog development, strip development along a roadway and large expanses of low density, single dimensional development.

Between Plan adoption in 1991 and completion of the County's Evaluation and Appraisal Report (EAR) in 1999, urban sprawl, as historically defined by the Florida Department of Community Affairs (Department) and repeated in the Plan, has not occurred in unincorporated Seminole County.

This absence of sprawl is due to extensive revisions to the County's Exhibit FLU: Future Land Use Map in 1987 to re-designate vacant, infill and urban fringe areas for urban development intensities. This major update, along with the long standing Conservation Land Use policies and regulations help to meet the Department's sprawl tests. In 1991, the Plan was amended to establish the East Rural Area and adoption of an urban/rural boundary. Additional steps such as creation of the Higher Intensity Planned Development future land use series, (i.e., Target Industry, Core and Transitional and Airport areas), purchase of natural lands, limiting commercial development to major roadway intersections, and providing for mixed use developments, joined with land development regulations, have effectively served as tools to address urban sprawl. The County's EAR fully addressed the sprawl indicators cited in Rule 9J-5.006(5), FAC. For a list of these indicators and the County's response, please refer to the EAR document.

*Developing the Lake Forrest site as a High Density Residential Development will not contribute to sprawl for the following reasons:*

- *As almost all of the surrounding land is already built-out, development of the site would occur in a responsible manner to ensure adequate transitioning of densities between surrounding and proposed uses.*
- *Development of the property would provide an opportunity for interconnected, pedestrian and user-friendly community consistent with the PD FLU'S definition of providing multi-modal access within the development.*

Vision 20/20—Future Land Use Element- Issue FLU 10-Trends in Comprehensive Planning (page FLU-7)

Since the 1991 Plan Update, two popular themes have emerged that have a direct relationship to comprehensive planning. The first of these, "sustainability", suggests the idea of the responsible use of resources to meet current needs without jeopardizing the needs of future residents. The second theme, "smart growth" involves the basic ideas of environmental protection, livable communities and efficient use of public funds. Both themes have in common the idea of community, economic opportunities and protection of the environment. In Seminole County "sustainability" and "smart growth" in land use are achieved through, but not limited to, application of the following planning techniques:

- Economic planning to create target industry areas;
- Acquisition of sensitive natural lands;
- Creation of an urban/rural boundary and Plan policies regarding protection of the Rural Area;
- Restricting densities and intensities within the Wekiva River and Econlockhatchee River areas;
- Applying a tiered level of service to encourage infill development and discourage sprawl; and
- Joint planning agreements.

These two themes are clearly evident in the goal of the Future Land Use Element, which is to achieve an appropriate balance between public and private interests in the protection of the environment, creation of favorable economic conditions and maintenance of established residential neighborhoods. The County's Plan and land development regulations set forth policies and provisions to ensure that these areas develop in a manner to provide compatibility, accommodate necessary facilities and services and protect the natural environment.

*As an infill site, the property will be developed in a planned, harmonious manner to eliminate sprawl, as explained elsewhere in this justification statement. Accordingly, apartments will be provided to meet the future housing and service needs of Seminole County's projected population.*

Vision 20/20—Future Land Use Element- Objective 2-Protection of Residential Neighborhoods (page FLU-16)

The County shall ensure the long-term viability of residential neighborhoods by regulating future development to create compatibility with surrounding land uses.

*The Lake Forrest site is compatible with surrounding land uses that includes*

*high density residential and single family residential.*

Vision 20/20—Future Land Use Element- Policy 2.1-Subdivision Standards (page FLU-16)

The County shall maintain the viability of established and future residential neighborhoods by continuing to enforce Land Development Code provisions relating to:

- a. Development within flood prone areas;
- b. Building setbacks and heights;
- c. Roadway buffers;
- d. Landscaping;
- e. Tree preservation;
- f. Signage;
- g. On-site traffic circulation and parking;
- h. Drainage and stormwater management;
- i. Fences, walls and entrance features; and
- j. Maintenance and use of common open space areas through homeowners associations.

*The proposed preliminary master plan will comply with all aspects of the Seminole County Land Development Code, including the above stated provisions, as permitted by the Planned Urban Development zoning designation.*

Vision 20/20—Future Land Use Element- Policy 2.3 Roadway Compatibility (page FLU-16)

The County shall encourage the viability of future residential neighborhoods adjacent to collector and arterial roadways by:

1. Requiring additional setbacks and buffers for residential development adjacent to future major collector and arterial roadways to minimize the impacts of future roadway improvements;
2. Requiring development plans to transition residential and nonresidential land use intensities at major intersections to maximize compatibility with existing residential neighborhoods;
3. Discouraging through traffic on local residential roadways; and
4. Enforcing Land Development Code standards providing when and where pedestrian, bicycle and vehicular linkages between abutting residential areas are required to provide convenient access to recreation, schools, libraries, and shopping. Vehicular connections between subdivisions shall be designed to serve local residents and discourage through traffic.

*Concurrent with the LSFLUA application, a PD rezoning application and associated Preliminary Master Plan are being submitted. The aforementioned concerns are addressed in this plan and consequently comply with the Seminole County Land Development Code.*



Vision 20/20—Future Land Use Element- Policy 2.11 Determination of Compatibility in the Planned Unit Development and Planned Commercial Development Zoning Classifications (page FLU-19)

The County shall consider uses or structures proposed within the Planned Unit Development (PUD) and Planned Commercial Development (PCD) zoning classifications on a case-by-case basis evaluating the compatibility of the proposed use or structure with surrounding neighborhoods and uses. Compatibility may be achieved by application of development standards such as, but not limited to, lot size, setbacks, buffering, landscaping, hours of operation, lighting, and building heights. The Board of County Commissioners shall have discretion as to the uses and structures approved with a PUD or PCD zoning classification.

*As previously stated, the Preliminary Master Plan is included in this concurrent LSFLUA and rezoning request to demonstrate buffering, setbacks, density, and ensure compatibility with adjacent uses. Specific development standards will be established in the Final Master Plan to achieve compatibility with surrounding development.*

Vision 20/20—Future Land Use Element- Objective 6: Public Facilities and Services (page FLU-33)

The County shall require that all development be consistent with the approved Capital Improvements Element or facility and service plans in order to discourage urban sprawl, meet adopted level of service standards and thereby minimize attendant public costs through the implementation of the following policies:

Vision 20/20—Future Land Use Element- Policy 6.1 Development Orders, Permits and Agreements (page FLU 33)

The County shall ensure that all development orders, permits and agreements are consistent with the adopted level of service standards and provisions of the Capital Improvements Element and the appropriate facility element as well as all other provisions of this Plan.

*A Development Order that outlines the future development parameters of the site and developer obligations will be drafted between the property owner and Seminole County to implement the proposed PUD zoning.*

Vision 20/20—Future Land Use Element- Policy 6.2 Concurrency Requirements (page FLU 33)

The County shall ensure that all development orders, permits and agreements are subject to the adopted Concurrency Management System standards and provisions to ensure that facilities and services needed to serve the development are available at the adopted level of service consistent with the Implementation Element of this Plan.

*There is sufficient infrastructure in place to adequately serve the Lake Forrest site. Any additional impact issues will be addressed in the Development Order.*

Vision 20/20—Future Land Use Element- Policy 6.3 Infrastructure and Phasing Requirements (page FLU 33)

The County shall require that all development provide services and facilities or phase the development as a condition of approval if development needs precede adopted service and facility plans and Capital Improvements Program and adopted levels of service can be maintained.

*Development of the site will comply with the services and facilities requirements.*

Vision 20/20—Future Land Use Element- Policy 6.4 Priority for Water and Sewer Services (page FLU 33)

The County shall evaluate the impact on delivering adequate service to residents within the established service area prior to the expansion of a potable water or sewer service area outside the adopted service area boundaries. The County will not expand a service area if the adopted level of service cannot be maintained.

*Seminole County Utilities will serve the site and has sufficient capacity to support development consistent with the proposed program.*

Vision 20/20—Future Land Use Element- Policy 6.5 Private Investment Above Land Development Code Regulations (page FLU 33)

The County shall require private investment in infrastructure improvements above and beyond Land Development Code requirements (e.g., feeder roads, aerial fire apparatus, right-of-way, signalization, access improvements, transit facilities, stormwater, etc.) where improvements are needed to accommodate the development and to minimize attendant public costs associated with growth.

*The developer will comply with this policy and address these issues as necessary in the Development Order with the County.*

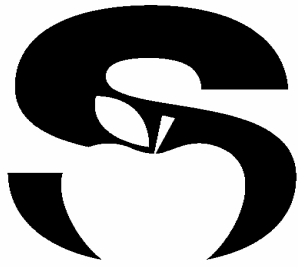
## **JUSTIFICATION STATEMENT – REZONING**

The subject property is best suited for residential use due to its location and surrounding land use patterns. Amending the future land use designation from medium density residential to high density residential with a rezoning to planned urban development will permit creative design standards and a quality development program that is consistent with other development within Seminole County.

## **CONCLUSION**

The requested LSFLUA and zoning amendments are well supported by the policies described within the Seminole County Vision 2020 Comprehensive Plan. The County has a desire to "maintain the established residential character" of this location, and there is a continuing demand for residential housing of the type proposed. As stated elsewhere in this report, the subject

property is believed to be best suited for high density residential use due to its location, present market conditions and surrounding land use patterns. We believe that amending the future land use of the property from Medium Density Residential to High Density Residential would be consistent and compatible with the policies established by the Seminole County Vision 2020 Comprehensive Plan, particularly with regard to the policies and provisions related to the prevention of urban sprawl, maximization of land coverage, minimization of open space and the provision of recreational opportunities for residents. This request is compatible in the described location and is consistent with applicable Seminole County planning policies and applicable regulations.



## SEMINOLE COUNTY PUBLIC SCHOOLS School Capacity Report

**To:** Seminole County Board of County Commissioners

**From:** George Kosmac, Deputy Superintendent, Seminole County Public Schools

**Date:** December 4, 2007

**RE. Lake Forest Large Scale FLUM Amendment & Rezone**

Seminole County Public Schools (SCPS), in reviewing the above future land use change and rezone request, has determined that if approved the new FLUM and zoning designation would have the effect of increasing residential density, and as a result generate additional school age children.

**Description** – 26.8+/- acres Located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street. The applicant is requesting a change from MDR to HDR and rezone from PUD to PUD. The applicant is proposing to construct a multi-family dwelling unit subdivision, at a density of approximately 16.5 dwelling units per net buildable acre. The net residential density is proposed to increase from the 200 currently approved multi-family units to 417 units, a net increase of 217 units. Parcel ID #: 20-19-30-300-0400-0000.

Based on information received from Seminole County Planning and from the staff report for the request, SCPS staff has summarized the potential school enrollment impacts in the following tables:

Total Proposed units					
Total # of Units		# of Single-Family Lots		# of Multi-Family Units	
217		0		217	
Student Generation					
Impacted Schools	Projected Number of Additional Students	Current Capacity	Current Enrollment	Percent Utilization	Students Resulting from Recently Approved Developments
Elementary Northwest Cluster	27	4,283	4,333	101.2	165
Middle Sanford	10	1,414	1,316	93.1	98
High Seminole	10	3,049	3,135	102.8	185

## **Terms and Definitions:**

**Florida Inventory of School Houses (FISH):** The numbering and data collection system developed and assigned through the Department of Education for land parcels, buildings, and rooms in public educational facilities. Based upon district data entry, FISH generates the student station counts and report data for school spaces throughout the districts and the State.

**Student Stations:** The actual number or count of spaces contained within a room that can physically accommodate a student. By State Board Rule, the student station count is developed at the individual room level. Prior to Class Size Reduction (CSR), the number of student stations assigned to a room was dependent upon the room size and the particular the instructional program assigned to the room. This is no longer the case for core curricula spaces (see e. below). The total number of student stations at a campus is determined by the cumulative student station count total of the rooms at the campus that are assigned student station counts.

**Utilization:** A State Board Rule prescribed percentage of student stations that a room (and proportionately, a school and school district) can satisfactorily accommodate at any given time. From a school/campus analysis perspective, "utilization" is determined as the percentage of school enrollment to capacity. Current DOE established K-12 utilization factors are as follows:  
Elementary 100%, Middle 90%, High 95%

**Capacity:** The number of students that can be satisfactorily accommodated in a room at any given time and which, is typically a lesser percentage of the total number of student stations. That percentage factor is typically referred to as the "Utilization Factor". The capacity of a campus is therefore determined by multiplying the total number of student stations by the utilization factor (percentage). NOTE: Capacity is **ONLY** a measure of space, not of enrollment.

**Class Size Reduction (CSR):** Article IX of the Florida Constitution requires the legislature to "make adequate provision" to ensure that by the beginning of the 2010 school year, there will be a sufficient number of classrooms for a public school in core related curricula so that:

- i) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for pre-kindergarten through grade 3 does not exceed 18 students;
- ii) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 4 through 8 does not exceed 22 students; and
- iii) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 9 through 12 does not exceed 25 students

**School Size:** For planning purposes, each public school district must determine the maximum size of future elementary, middle and high schools. Existing school size is determined solely through FISH data. Seminole County Public Schools has established the sizes of future schools (with the exception of special centers and magnet schools) as follows:

- i) Elementary: 780 student stations
- ii) Middle: 1500 student stations
- iii) High: 2,800 student stations

**Projected Number of Additional Students:** is determined by applying the current SCPS student generation rate (calculated by using US Census data analysis) to the number and type of units proposed. The number of units is determined using information provided by the County and/or from the applicant's request. If no actual unit count is provided the unit count is then estimated based on the maximum allowable density under the existing/proposed future land use designation.

**Full Time Equivalent (FTE) -** A calculation of student enrollment conducted by The Florida Department of Education (FDOE) authorized under Section 1011.62, Florida Statutes to determine a maximum total weighted full-time equivalent student enrollment for each public school district for the K-12 Florida Educational Funding Program (FEFP).

**Students Resulting from Recently Approved Developments** is a summary of students generated from developments approved and platted since January 2005. Student enrollment changes due to existing housing are excluded from these totals.

**Comments:**

The students generated at the Middle school level resulting from the proposed development, would at this point be able to be absorbed into the zoned schools without adverse affect. Capacity is not available at the approved level of service for Elementary or High schools, and the additional students would not be able to be absorbed without the use of temporary capacity or significant increases in overcrowding. There are no planned expansions/additions in the current five-year capital plan that would provide additional student capacity to relieve the affected schools.

In addition to the students generated from the proposal, the number of students expected from recent developments in the attendance areas of the affected schools would also place further capacity pressures on the school system. These new developments combined with this proposal and any subsequent approvals may affect the provision of concurrent school facilities at the point of final subdivision approval, including the potential of not meeting statutory concurrency requirements.

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION  
DECEMBER 5, 2007  
7:00 P.M.**

**Members present:** Matthew Brown, Dudley Bates, Walt Eismann, Rob Wolf, Melanie Chase, and Ben Tucker

**Member absent:** Kim Day

Also present: Dori DeBord, Director of Planning and Development; Alison Stettner, Planning Manager; Tina Williamson, Asst. Planning Manager; Ian Sikonia, Senior Planner; Cynthia Sweet, Senior Planner; Austin Watkins, Senior Planner; James Potter, Senior Engineer; Kathy Furey-Tran, Assistant County Attorney; and Candace Lindlaw - Hudson, Clerk to the Commission.

**Lake Forrest Large Scale Land Use Amendment and Rezone; Shutts & Bowen LLP, James Willard, applicant;** 26.8± acres; Large Scale Land Use Amendment from Medium Density Residential (MDR) to High Density Residential (HDR) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development); located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street. (Z2007-65 / 08S.FLU02)

Commissioner Carey - District 5  
Ian Sikonia, Senior Planner

Ian Sikonia stated that this property was previously approved on May 10, 2005 know as the NW 46 PUD which consisted of a town home and condominium project allowing a maximum of 400 units. The specific regulations for these condominium and townhome units were based pm the R-3 and R-4 zoning districts. The NW 46 PUD allowed a maximum building height of 2 stories or 35 feet for the subdivision. The Development Order of the NW 46 PUD specifically forbids townhome or condominium units to be used a rental units. The NW 46 PUD and the proposed Lake Forrest PUD are similar in uses but different in regard to intensity and density of the property.

The proposed Lake Forrest PUD is creating a new PUD while maintaining some to the previous conditions of the NW 46 PUD. The NW 46 PUD allowed for a maximum of 400 units while the proposed PUD is allowing for a maximum of 417 units. The Lake Forrest PUD is increasing the approved maximum building height of 35 feet or two stories to 50 feet or three stories. They are also maintaining the same permitted uses of condominium, townhomes, and adding

multi-family rental units to the Development Order. The proposed PUD seems to allow for more local housing options for the prospective and existing citizens of Seminole County due to the proximity of Interstate 4 and the numerous employment centers located in nearby Heathrow, Lake Mary and Sanford.

Mr. Sikonia stated that staff is recommending changes to the Development Order: Condition G, replacing "There shall be a minimum of 834 parking spaces located on site" to read "Parking shall be pursuant to the Land Development Code requirement of two spaces per unit." Condition M replacing "will" with "may" in the second sentence, to read: "This may be accomplished by amenitizing the existing retention pond."

Mr. Sikonia said that staff recommendation was for transmittal of the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) for 26.8 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street.

Jim Willard spoke on behalf of the applicant. He gave a short history of the ownership of the tract and stated that market conditions have not supported what was approved 3 years ago. The market will support multi-family projects. This project will not be low-income housing. The location of the application is a good place for the placement of such a project. 16.5 units per acre with 3 stories in height is typical. This site is next to the interstate, with minimal Oregon Street exposure. What else could go here. This addresses workforce housing. Mr. Willard said that he does not want to put in a sound wall by the interstate. It is too costly. The owner could put a disclosure clause in the lease stating the proximity of the project to the interstate.

Dr. Ira Swartzberg spoke on behalf of the Lake Forest Homeowners Association. He stated that the berm referred to as a buffer is only 15 feet high. In reviewing the various traffic, school, and buffering figures, the report presented had conflicting figures. The Lake Forest Homeowners Association is opposed to this application.

Steve Devine spoke on behalf of the Lake Forest Homeowners Association Board. The HOA is opposed to the rezoning and change to the County Comprehensive Plan. This application is not compatible with the area. The schools cannot serve the influx of population, and the traffic will not be adequately served by the roads and intersections in the area. The current Comprehensive Plan design for the property is good. The density is increasing from 268 to 417 with this project. Silverleaf projected increases from 282 units to 558 dwelling units. Both will give 978 units for the two properties. Mr. Devine said that he was also concerned with the SR 46 intersection. The anticipated I-4 off-ramp is an upcoming problem. He took issue with the traffic study numbers



presented. A new study is needed. Traffic numbers varied from 100 additional trips to 677 extra trips.

Mr. Devine also said that the retention pond was being used for open space calculations by both this project and the KB Homes application for Silverleaf. He concluded by stating that the schools were overcrowded and did not have capacity.

Jim Willard said that the retention pond had not been double calculated. Both projects share the pond. There is enough open space using the pond.

Commissioner Tucker said that sound and the wall were an issue here. The wall is not the only answer. It is not enough to say that the interstate is there. Look at the airports. Homes can be sound-fitted. Given the current circumstances, it may be good use, but sound is an issue.

Commissioner Brown said that a third option was to put language in the deed.

Commissioner Tucker said that it should not be incumbent on the public to mitigate sound.

Commissioner Eismann asked how the County could prevent sound walls from being put up at taxpayer expense in the future.

Commissioner Chase said that such things were not going to be approved by the BCC in the future.

Commissioner Tucker said that the sound abatement wall is an FDOT approval, not BCC approval.

Commissioner Wolf asked why soundproofing or a wall should not be included for approval.

Commissioner Tucker added the potential of adding to deed restrictions.

**Commissioner Eismann made a motion to recommend transmittal of the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) for 26.8 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street with staff findings.**

**Commissioner Chase seconded the motion.**

Commissioner Brown said that this project is HDR next to I-4. That is the place for it.

Commissioner Wolf said that the application lacks transition between I-4 and MDR.

Commissioner Brown said the berm is 15 feet tall and 30 feet at the base.

Tina Williamson said that the width of the berm was not known.

Commissioner Wolf said that there were natural trees there now along the road that could be utilized for a natural buffer.

Commissioner Brown asked what good is accomplished by speaking to the local HOAs.

Commissioner Wolf said that changes could be made prior to finalization.

**The motion failed with a tie vote of 3 - 3.** Commissioners Brown, Eismann, and Chase voted “yes” while Commissioners Bates, Tucker and Wolf were opposed.

**Commissioner Wolf made a motion to send the request to the BCC without a recommendation.**

**Commissioner Bates seconded the motion..**

**The motion passed 6 – 0.**

to authorize the filing of the proofs of publication for this meeting's scheduled public hearings into the Official Record.

Districts 1, 2, 3, 4 and 5 voted AYE.

**REQUEST FOR LARGE SCALE LAND USE & REZONE  
TO PUD, JAMES WILLARD/SHUTTS & BOWEN, Continued**

Continuation of a public hearing to consider a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) for approximately 26.8 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street, as described in the proof of publication, James G. Willard, Shutts & Bowen, LLP.

Planner, Ian Sikonia, addressed the Board to present the request, advising the original PUD approved by the BCC on May 10, 2005, has now been split in half and being presented as Items #25 and #26. The applicant is requesting the amendment to allow for a multi-family residential development at a maximum density of 16.5 dwelling units per net buildable acre. He stated this property was previously approved as the NW 46 PUD which consisted of a townhome and condominium project allowing a maximum of 400 units. The proposed Lake Forest PUD is creating a new PUD while maintaining some of the previous conditions of the NW 46 PUD. The proposed PUD is also allowing for a maximum of 417 units, which is an increase of 17 total units; and proposing to increase the approved maximum building height of 35 feet, not to exceed two stories, to 50 feet, not to exceed three stories. They are also maintaining the same permitted uses of condominium, townhomes, and adding multi-family rental units to the

development order.

Mr. Sikonia advised that the P&Z Commission's motion to approve this item failed due to a 3 to 3 vote. They then made a motion to send the request to the BCC without a recommendation with a 6 to 0 vote. He further advised that staff recommends approval to transmit the amendment to the DCA.

District Commissioner Carey clarified that Items #25 & #26 originally came to the Board and was approved as one piece of property. The developer has now split the property and is seeking separate approvals for each piece. She suggested the Board take votes on each item after hearing public comment on both. The Board voiced **no objections** to same.

Attorney Ken Wright, representing the applicant, addressed the Board to state this is an apartment site that is very well located by I-4 and job centers. He said going from two stories to three stories has allowed them to be much more accommodating for open space. He agreed that both Items #25 and #26 should be considered together.

Upon inquiry by County Attorney, Robert McMillan, Attorney Steve Coover, representing Item #26's applicant, addressed the Board to advise he has no objection to the Board hearing both items together.

Attorney Wright briefly discussed the revised First Amended & Restated Seminole County Development Order (copy received & filed), advising the changes made on same were in order to accommodate the agreement they reached with the Lake Forest Master Community Association. Under Item 3c, they have included that, "All buildings abutting Oregon Street will either have no third floor balconies on the west, or if they do, they will have a Bermuda-type shutter, such that the occupants will not be able to see west into the Lake Forest

development from a unit balcony." Item 3k includes, "The west buffer shall be 15' wide and preserve all existing non-nuisance trees greater than 6' in height, and contain a 6' masonry wall." He added that the County staff will determine whether a tree is a nuisance tree. He further advised there is a new provision that outdoor lighting generated by the project shall measure 0' candles at the west Oregon Street right-of-way line, with the exception for the entrance.

Upon inquiry by Chairman Carey, Planning & Development Assistant Manager, Tina Williamson, addressed the Board to advise staff has reviewed the revised D.O. and have no objections to it.

Attorney Brent Spain, representing the Lake Forest Master Community Association, Inc., addressed the Board to advise he has been meeting with Attorney Wright and Attorney Coover over the past several weeks and have entered into a private settlement agreement; therefore, they have no objections to either this item or Item #26.

No one else spoke in support or in opposition.

Chairman Carey stated the Board will now hear testimony on Item #26, before a motion is made on Item #25.

**REQUEST FOR LARGE SCALE LAND USE AMENDMENT &  
REZONE TO PUD, REED BERLINSKY/KB HOMES ORLANDO, Continued**

Continuation of a public hearing to consider a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) for approximately 28.25 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street, as described in the proof of publication, Reed Berlinsky/KB Homes

Orlando, LLC.

Planner, Ian Sikonia, presented the request, advising this property was originally part of Item #25 and is now being split. He stated the applicant is requesting the amendment in order to allow for a multi-family residential development at a maximum density of 20 dwelling units per net buildable acre. The proposed Silverleaf PUD is essentially creating a new PUD while maintaining some of the previous conditions of the NW 46 PUD which allowed for a maximum 400 units. The Silverleaf PUD is proposing a maximum of 558 units and proposing to increase the approved maximum building height of 35 feet or two stories to 50 feet or three stories. The PUD is also proposing to remove conditions from the previous D.O. regarding minimum house size, lot width, setback, and other design-related conditions to allow for more flexibility when designing the Final Master Plan.

Mr. Sikonia advised the P&Z Commission voted to approve the request, which failed; and then voted to deny the request, which also failed. They then sent the application to the BCC without a recommendation. He further advised the staff recommends approval to transmit the amendment to the DCA.

Attorney Steve Coover, representing the applicant, stated they concur with the staff recommendation. He said they have reduced the number of units from 582 to 303. Copy of revised First Amended & Restated Seminole County Development Order was received and filed.

No one else spoke in support or in opposition.

Chairman Carey stated the Board will now consider Item #25.

**REQUEST FOR LARGE SCALE LAND USE & REZONE  
TO PUD, JAMES WILLARD/SHUTTS & BOWEN, Continued**

Continuation of a public hearing to consider a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) for approximately 26.8 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street, as described in the proof of publication, James G. Willard, Shutts & Bowen, LLP.

District Commissioner Carey recommended transmitting this to the DCA.

**Motion** by Commissioner Henley, seconded by Commissioner Dallari to authorize transmittal of the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) for approximately 26.8 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street, as described in the proof of publication, James G. Willard, Shutts & Bowen, LLP, based on staff findings and the revised First Amended & Restated Development Order.

Districts 1, 2, 3, 4 and 5 voted AYE.

**REQUEST FOR LARGE SCALE LAND USE AMENDMENT &  
REZONE TO PUD, REED BERLINSKY/KB HOMES ORLANDO, Continued**

Continuation of a public hearing to consider a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) for approximately

28.25 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street, as described in the proof of publication, Reed Berlinsky/KB Homes Orlando, LLC.

District Commissioner Carey recommended transmittal of this item.

**Motion** by Commissioner Henley, seconded by Commissioner McLean to authorize transmittal of the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) for approximately 28.25 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street, as described in the proof of publication, Reed Berlinsky/KB Homes Orlando, LLC, based upon staff findings and the revised First Amended & Restated Development Order.

Districts 1, 2, 3, 4 and 5 voted AYE.

**APPEAL AGAINST BOA,  
TBCOM PROPERTIES, LLC**

Proof of publication, as shown on page \_\_\_\_\_, calling for a public hearing to consider an Appeal Against the Board of Adjustment's decision to approve a Special Exception for a 130-foot communication tower located on Parcel 202 in the Carillon PUD, TBCOM Properties, LLC, received and filed.

Planner, Kathy Fall, addressed the Board to present the appeal, advising at the BOA hearing, there was discussion concerning possible interference with the County's Public Safety communications. The applicant has agreed to conditions of the approval that would ensure no potential impacts, including an IM study to be conducted by each



**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On June 10, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

**FINDINGS OF FACT**

**Property Owner:** NW 46 LTD  
600 E. Colonial Dr.  
Orlando, FL 32803

**Project Name:** Lake Forrest Large Scale Land Use Amendment and Rezone

**Requested Development Approval:**

Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development)

The Board of County Commissioners has determined that the request for a Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Lake Forrest Large Scale Land Use Amendment and Rezone" and all evidence submitted at the public hearing on June 10, 2008, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested development approval should be denied.

**ORDER**

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:  
The aforementioned application for adoption is DENIED.  
Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Brenda Carey, Chairman

EXHIBIT ALAKE FOREST  
TRACT A

## DESCRIPTION:

That part of Section 20, Township 19 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Southwest corner of the East 1/2 of said Section 20; thence run N89°38'35"E along the South line of said East 1/2 for a distance of 25.00 feet to the East right-of-way line of Oregon Street; thence run N00°12'27"W along said East Right-of-way line for a distance of 1764.00 feet to the POINT OF BEGINNING; thence continue N00°12'27"W along said East right-of-way line for a distance of 235.41 feet to the South line of a Florida Department of Transportation Pond, as recorded in Official Records Book 3520, Page 535, of the Public Records of Seminole County, Florida; thence run N89°20'41"E along said South line for a distance of 259.29 feet to the Easterly line of said Pond; thence run N00°39'19"W along said Easterly line for a distance of 100.00 feet to the Westerly prolongation of the South line of Borrow Pit No. 2 (retention pond); thence run N89°20'41"E along said South line for a distance of 1278.52 feet to a point on a non-tangent curve concave Southeasterly and the Easterly line of said Borrow Pit No. 2 having a radius of 6179.65 feet and a chord bearing of N32°35'43"E; thence run Northeasterly along the arc of said curve through a central angle of 12°06'57" for a distance of 1306.77 feet to a point on a line lying 50.00 feet South of and parallel with the North line of the South 5/8 of the East 1/2 of said Section 20; thence run N89°16'23"E along said Parallel line for a distance of 315.14 feet to a point on the Westerly Right-of-way line of Interstate 4 (State Road 400), as recorded in Official Records Book 3520, Page 535, of said Public Records, being a point on a non-tangent curve concave Southeasterly having a radius of 5939.65 feet and a chord bearing of S32°47'00"W; thence run Southwesterly along said Westerly right-of-way line and the arc of said curve through a central angle of 15°36'44" for a distance of 1618.47 feet to the Northeasterly line of the 90' wide County M. M. Smith Canal Easement as recorded in Official Records Book 3513, Page 1546, of said Public Records; thence run N37°21'01"W along said Northeasterly line and said Westerly right-of-way line for a distance of 22.57 feet to a point on a non-tangent curve concave Southeasterly having a radius of 5959.65 feet and a chord bearing of S24°30'21"W; thence run Southwesterly along said Westerly right-of-way line and along the arc of said curve through a central angle of 01°08'41" for a distance of 119.07 feet to the point of tangency; thence run S24°00'12"W along said Westerly right-of-way line for a distance of 830.32 feet to the North line of lands described in Official Records Book 6087, Page 553, of said Public Records; thence run Westerly along said North line the following six (6) courses: N65°59'48"W, 52.16 feet; thence N22°33'35"W, 40.00 feet to a point on a non-tangent curve concave Northerly having a radius of 75.00 feet and a chord bearing of S86°18'13"W; thence Westerly along the arc of said curve through a central angle of 37°43'35" for a distance of 49.38 feet to the point of tangency; thence N74°50'00"W, 18.48 feet to the point of curvature of a curve concave Southerly having a radius of 525.00 feet and a chord bearing of N82°05'46"W; thence Westerly along the arc of said curve through a central angle of 14°31'32" for a distance of 133.10 feet to a point on a non-tangent line and to the East line of lands described in Official Records Book 6087, Page 561, of said Public Records; thence run Northerly and Westerly along the East and North lines of said lands the following nine (9) courses: N24°00'09"E, 203.97 feet; thence N24°28'59"E, 20.06 feet; thence N23°57'19"E, 199.83 feet; thence N27°29'16"E, 31.73 feet; thence N32°53'50"E, 199.83 feet; thence N67°55'48"W, 40.26 feet; thence S89°50'35"W, 1090.62 feet; thence N00°00'00"E, 76.10 feet; thence N90°00'00"W, 185.95 feet to the POINT OF BEGINNING.

Containing 26.803 acres more or less and being subject to any rights-of-way restrictions and easements of record.

**Sikonia, Ian**

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**From:** Mathews, Karen  
**Sent:** Wednesday, January 16, 2008 2:06 PM  
**To:** Sikonia, Ian  
**Cc:** Hudson, Candace  
**Subject:** FW: Silverleaf File No. Z2007-61 and Lake Forrest File No. Z2007-65

FYI: This letter came in through the Plan Desk folder today.

Karen Mathews  
Staff Assistant  
Seminole County Planning Division  
1101 E. 1st St. Room 2201  
Sanford, FL 32771  
407 665-7371 (phone)  
407 665-7385 (fax)  
kmathews@seminolecountyfl.gov

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**From:** Kathryn D. Tillman [mailto:kdtillman@bellsouth.net]  
**Posted At:** Wednesday, January 16, 2008 8:17 AM  
**Posted To:** Plan Desk  
**Conversation:** Silverleaf File No. Z2007-61 and Lake Forrest File No. Z2007-65  
**Subject:** Silverleaf File No. Z2007-61 and Lake Forrest File No. Z2007-65

RE: Silverleaf File No. Z2007-61  
Lake Forrest File No. Z2007-65

We respectfully request that the Comprehensive Plan changes and rezoning of the above cases be **denied**.

The reasons for the request are clear and the same ones for all the terrible "growth" in Seminole County:

1. Our schools are already overcrowded - and I don't have to tell you what the country thinks of Florida schools. I was reminded of that in November when a friend made the comment at a party I attended in Rhode Island that he would love to live in Florida - but if he did he would have to send his kids to boarding school out of state.
2. The traffic congestion will worsen at SR46 and Oregon. It's already terrible with the new construction of townhomes and retail stores in front of Lake Forest.
3. Rental apartments will bring down property values in Lake Forest even more than already has been by the the townhomes in front of the property.

It's time Seminole County put a stop to this "growth". We just can not handle any more - particularly high density rental apartments. This is bringing the County down in every respect. What about our water supply problem?

Also, it is my understanding that this property was just rezoned 2 years ago with one condition being rental apartments would be expressly prohibited.

Thank you.

1/16/2008



John and Kathryn Tillman